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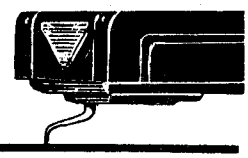

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TRB

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With Friends Like These

Little Martha Mitchell has been relieving her tensions again, and her husband will be leaving the Justice Department any day now to run Mr. Nixon's 1972 presidential campaign, so the time has come to take another look at the Mitchell team and what it means to all of us. The Attorney General is probably the second most powerful man in Washington because he gives advice to the most powerful man, and the latter takes it. This is odd because the advice has been so bad that the string of defeats is like an unraveling ball of yarn that has no end.

John and Martha live in a cozy little three bedroom duplex in the swank Watergate apartments into which John has invested $140,000, and for whose monthly maintenance he pays $1000. When he became Attorney General after being Mr. Nixon's law partner and campaign manager, he left a $200,000-a-year Wall Street law practice in which he was an expert on municipal bonds. Martha likes nothing better after a party than to pick up the phone and tell the world off in a modern-day version of Marie Antoinette.

In the same paper last week in which John was likening the antiwar demonstrations to brown-shirt Nazis of Germany in the 1920s, Martha was telling a home-town TV station in Pine Bluff, Ark., that they were dirty: "You can't stand to get within 20 feet of them." Whether Martha is a restraining influence on John or John on Martha is a matter of dispute; some think that Martha just says in public what John says in private. Referring to the recent unanimous decision by the Burger Court upholding school busing, Martha said, "I could not sit here and believe such a thing could come to happen." Apparently John couldn't believe it either, until the Court slapped him down. But so many things have happened in the experience of John in the past two years that his credulity must by now be severely strained.

Some people don't like politicians. After a good many years in Washington TRB feels that the country is safer with politicians than with the business-type like the Attorney General who never dabbled in politics so far as is known till he undertook to get Mr. Nixon elected. He elected him, too. He started Mr. Nixon off with a 16 percent lead over a lethally wounded Humphrey after the Chicago convention, and managed to finish with less than one percent lead, no mandate, and a Democratic majority in Congress. Under Mitchell's astute handling, Mr. Nixon got 2.4 million votes less in winning than he got in losing in 1960. Since then there have been even more impressive accomplishments.

A politician by the nature of things has to know people, and have some sense of the popular will and the public mood. A nonpolitician who comes late to public life from business, say, nearly always has a simplistic notion that problems (often insoluble) can be solved readily by business methods. That was true of poor Hoover, and also of the crew of Republican millionaires who took over the cabinet in General Eisenhower's day. Mitchell is an independent-minded, very intelligent man with a Roman nose like Douglas MacArthur's, a pipe that is always glowing, a voice that is calm, composed and righteous, a managerial efficiency unencumbered by ideology and a bagful of facts many of which aren't so. Nothing in his life has brought him in contact or sympathy with the poor, the black or the young. What he seems to lack is human understanding and maybe, compassion.

"When you first meet Mitchell," goes the saying, "he seems cold on the surface; but after you get to know him you realize that that is only the tip of the iceberg."

Of course, this exaggerates. With friends he can be civil, congenial and even warm. No doubt, he and Martha have cozy times together, discussing the demonstrators and the Court.

The extraordinary partnership between Mr. Nixon and the Attorney General comes from a certain temperamental similarity of two self-made, successful and essentially private men. Neither gets on easily with crowds or people. They trust each other and the one on the pinnacle needs the absolute self-confidence of the other as a sounding board for opinions. Mitchell is utterly without political ambitions. His advice goes a lot further than legal matters. He screened 2000 names for subcabinet posts when the Administration started; he serves on the National Security Council and participated in the Cambodia and Laos decisions; he helped nurse Mr. Nixon's wounds on the presidential yacht *Sequoia* after the Carswell defeat and stood by the President's side when they returned as the latter delivered his bitter tirade against the Senate, declaring that he had "reluctantly concluded—with the Senate as presently constituted" that he couldn't get a Southerner confirmed to the Supreme Court. It was a total, extraordinary misreading of what had happened, and it is this obtuseness, this tin ear, this insensitivity to certain gut issues in American life that may help to unite the two men.

The fact is, Mitchell's record as a presidential adviser leaves something to be desired. He almost succeeded in losing the 1968 election and he helped botch the preposterous 1970 election with the unsuccessful effort to cash in on supposed popular dislike of demonstrators and college students. He presided over the effort to blunt the drive for civil rights with two extraordinary, uanimous, slap-downs by the Supreme Court to which Mr. Nixon had named two members. And he led his boss into the humiliation of the Haynsworth-Carswell rejections that would seem to have severed ties any less indissoluble. "Mitchell should go!" said *Life* magazine. He is still around; the most trusted counselor.

Assistant Attorney General Ruckelshaus ran for the Senate in Indiana. Unsuccessful. Deputy Kleindienst ran for governor of Arizona. Unsuccessful. Asst. AG Will Wilson tried for senator and governor in Texas. Unsuccessful. Head of the Civil Rights Division, Jerris Leonard, ran for the Senate in Wisconsin. Unsuccessful. Rarely have the halls of Justice been so politicized. Probably this fall Mitchell will step down. A skeleton "Nixon For 1972" team is already forming and he will head it. If this frightens Democrats they conceal it.

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Wanted: An Inquiry Into the War

Since a majority of the American people now feel that the Vietnam war was a blunder and that the sooner we get out of it the better, perhaps one should let bygones be bygones, let the hawks off the hook and be glad there are now so few of them. But can we? Don't we owe ourselves and the Vietnamese something more? Should a tragedy of this magnitude be dismissed with no more than a "sorry 'bout that," or worse, a self-deceiving assertion that we made the good fight? The President, Henry Kissinger, Joseph Alsop and others worry about recriminations as the war winds down, and they are right to worry. Knee-jerk anti-Communists will ask why they have not been given the clearcut victory implicit in the promises of two administrations. Most of the rest of us will want a more thorough and reliable explanation than we've had of how and why the US ever committed its power, prestige and men to so foolish a cause.

The principal argument against a full inquiry into the war is that there is nothing important to be learned, that the public already knows who was responsible: three Presidents and their advisers, the Congress that paid the bills, and the voters who gave their consent gladly or by their silence. It is argued also, that since decision-making has been so widely shared, no assignment of responsibility is possible; and that, moreover, it is politically troublesome to ask any nation to pass judgment on itself. Undoubtedly it is troublesome, we all like to think well of ourselves, but is it to be ruled out on that account? Does the United States have to be defeated militarily before applying to itself those precepts of accountability which it applied to vanquished Germans and Japanese? On the contrary, we would honor ourselves by making a sober effort to see precisely what we have done, and to ponder how the Republic can protect itself better in the future against the misuse of power. There is something basically right about the statement: "If Calley, why not the Commander-in-Chief." Not because the Commander-in-Chief personally shot unresisting women and children, but because he *was* Commander-in-Chief of that kind of war. If there were mitigating or exonerating reasons for the decisions the Commander-in-Chief and his principal agents made, it is important to have them brought forward and considered in an orderly, dispassionate way.

No responsible inquiry, however, into the causes and consequences

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of our participation in the Vietnam war is possible so long as Mr. Nixon is President. What we envisage is a board of inquiry to be appointed by a new President in 1973, and with the consent of Congress. And since the record to be reviewed is long, no report would be likely before 1975-76. To begin with, the board would have the task of examining all serious allegations of individual war crimes. It is only fair to Lt. Calley and indeed to the two million or so men who served in Vietnam that such a scrupulous review be made. There have been not one or two aberrant, unauthorized acts of barbarity, but many. For instance, at a congressional hearing last week, a former Army sergeant testified that another Mylai occurred in Truong Khanh on April 18, 1969, when 30 women and children were systematically killed by troops of the 11th Infantry Brigade. The military alone should not be asked to sit in judgment on itself, or decide how far up the chain of command complicity reaches. We are all the more persuaded of that by the statement of the Chief of Staff, Gen. Westmoreland, who said of Mylai: "I feel no guilt, not in the least, it is an absurd allegation." Is the buck of responsibility to be passed down but never up?

What in addition would a civilian board of inquiry be trying to ascertain? First and foremost: was this war an international crime under definitions laid down at Nuremberg? And further: By what authority, constitutional or congressional, was the war carried on? Under what rules of combat or civilized custom did we exercise the right to bomb and burn villages and defoliate the countryside? Do existing conventions take sufficient account of the technological changes in methods of destruction, and if they do not, how ought they to be revised? Are present international agreements designed to protect civilian populations adequate? What limits should be placed on the power of the Commander-in-Chief to commit American forces abroad? How might there be built into our national security apparatus a more sensitive appreciation of the ethical limits to be imposed on the military? And finally, a board of inquiry should call for a detailed calculation of physical damage done and for a program of reparations for the rehabilitation of Indochina.

If its findings are to have the general acceptance and the historical significance we hope they will, the board must have the status of a public body, yet be composed of persons drawn from private life. It should be free of partisanship, insulated in its investigations and deliberations from day-to-day publicity. It should have the power to subpoena persons and records and to grant immunity to witnesses. There are abundant sources from which the board can draw information and advice. There are the official records themselves. There are newspaper accounts, the testimony of veterans, records of hearings already held by Congress and by private organizations, transcripts of military trials, and of course the evidence of present and former government officials. There are no exact parallels for such an investigation. The closest analogy is the British Tribunal of Inquiry, which is set up by agreement between both Houses of Parliament "for inquiring into a definite matter prescribed in the Resolution as of urgent public importance." In this country, there have been somewhat comparable panels, such as the Kerner Commission on Violence, or the inquiry into Pearl Harbor, or the congressional inquest on the Korean war.

In order that it not be, or seem to be, self-serving or unduly influenced by a concern for reputations, the board ought to be made up of those who did not participate in the policies or performance they are reviewing. Certain names come to mind that suggest the quality of intellect required: Robert Goheen (former president of Princeton); Whitney North Seymour (former head of the American Bar Association and of the Carnegie Endowment for International Peace); J. Irwin Miller (businessman); Roman Catholic Bishop Bernard Kelly of Providence, RI; Bishop Brooke Moseley of the Union Theological Seminary; Victor Reuther (UAW); George Kennan; Mary Bunting (head of Radcliffe and former member of the Atomic Energy Commission); John M. Blum, professor of history and member of the Harvard Corporation; Professor David Kennedy, head of the biology department at Stanford; Benjamin Mays (president emeritus of Morehouse College); Eileen Hernandez, former commissioner on the Equal Opportunity Commission; Rabbi Arthur Hertzberg of Englewood, NJ; Francis Allen, outgoing dean of the Michigan University Law School; Samuel Rivkin, former US District judge; Philip Jessup, one-time judge of the high court in the Hague.

This proposal is not for the setting up of a court to impose sanctions. The imposition of just penalties, given the history of the past ten years is beyond the competence of any earthly power. But the record ought to be set straight. Terrible things have happened. They should be documented. It should be said, formally, that they were not justified because those responsible believed they were doing their duty.

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Saga of the Dollar

Between the gnomes of Zurich, Bonn, Paris, London, Amsterdam, Milan and Brussels and the European representatives of United States multinational corporations, a good time was had by all last week. The speculators had wagered that the dollar would be cheapened in relation to some leading European currencies, and so it was. By various methods, the values of the German *mark*, the Swiss *franc*, the Dutch *guilder* and the Austrian *schilling*, when stated in terms of dollars, were raised from four to seven percent.

The basic long-term fact underlying the present monetary crisis, and those that may come, is the changing position of the dollar in international trade. During the decade following World War II, while Europe and Japan were reconstructing their leveled cities and productive facilities, the United States was the world's peerless exporter. Our favorable balance of trade was mountainous, more than enough to finance our cold war exploits and the troops we garrisoned from Berlin to Tokyo. The countries of the world suffered from a common pecuniary disease: a shortage of dollars, which they needed to pay for the goods that our export marketers pressed upon them.

But gradually this situation was completely transformed. War-damaged factories were restored or built anew, most often incorporating the latest innovations in design and far more efficient than ever. Especially in West Germany and Japan, industrial giants arose that were capable of competing with all rivals. By the end of the 1950s the role of the dollar had been radically altered. Our once huge excess of exports over imports dropped dramatically. A dollar shortage was converted into a dollar glut.

It is wrong to conclude from this that American industry had finally been outclassed. In every year without exception, our merchandise exports continue to exceed our imports, though by much smaller amounts than in the abnormal postwar period. The problem of the dollar, and of the imbalance in US international accounts, has resided in considerable part in the rigidity of our military and political posture. We have become the world's self-appointed saviour, an assignment that involves spending billions on foreign shores for the maintenance of troops and their dependents, and for the construction of barracks, apartments, clubhouses, airports, supply depots, repair shops, supermarkets and all the other things that distinguish the American military presence. This meant turning over to foreigners billions of dollars every year. In the aggregate since the late 1950s, we have been spending more dollars abroad than foreigners have needed to pay for the exports we sold to them. In 1970 US exports of merchandise exceeded imports by more than $2 billion. But in that year we paid out nearly $5 billion to foreigners in military expenditures, almost two-fifths of which represented the cost of maintaining troops in Germany and Japan. We paid out about $4.5 billion in foreign aid, much of which also had a military orientation. The direct investment of American corporations abroad took an additional $4 billion. Taking account of all payments and receipts, our net deficit for the year was at least $4 billion and may have been as high as $10 billion. This was the 12th year, out of the last 13, in which US payments on international accounts exceeded receipts.

What has been happening to this mounting avalanche of dollars spent abroad? A considerable part of it was exchanged for our gold hoards. But now that US gold reserves are down and trade in the precious metals is tightly restricted, this outlet is largely closed. More recently, dollars have been piling up in the reserves of friendly central banks and in the bulging bank accounts held by foreigners in American financial institutions. The latter became especially attractive during 1969 and 1970 when interest rates in the United States were boosted sharply in the Nixonian war against inflation. By the same token deposits in American banks became much less attractive this year as interest rates were lowered in the thus far ineffective effort to relieve unemployment. Billions of "hot money" rushed to Germany where interest rates were and are two or three percentage points higher; in other words, a tremendous volume of dollars was suddenly exchanged for *marks*. Since Germany is waging its own war against inflation, this influx of money was considered perverse and frustrating. Last week's monetary crisis reflected Bonn's decision to stop the inflow and make the *deutsche mark* less attractive.

For European countries, where foreign trade commonly amounts to 25 percent or more of the national income, the revision in exchange rates may result in some substantial alterations in production and consumption. For the US, where foreign trade is about five percent of the gross national product, the repercussions will be less noticeable. The cheaper dollar should make US goods a bit more attractive relative to others, in foreign markets. At the same time the output of West Germany and of the other countries that revalued will bear higher price tags. Travel in much of Europe will be somewhat more expensive for Americans. But none of these changes will be dramatic. For example, the chances are that for competitive reasons, European manufacturers will themselves absorb much of the cost of revaluation; their prices may rise by two percent or less, rather than from four to seven percent. Our purchases from abroad should be reduced a bit, and our sales should increase.

In the longer run, it seems likely that the 147 national members of the International Monetary Fund will agree to revise the rules now governing exchange rates to permit more frequent, but more gradual adjustments, as supply and demand dictate;

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in time then – and it might take years – the US deficit could be completely corrected through a series of small but progressive dollar revaluations. The reform would be welcome in any case, though it is not strictly essential for rescuing the dollar. For in the shorter run, the US deficit could be wiped out swiftly if we terminated the Vietnam war and pulled back some of our expensive military outposts in Germany, Japan and other parts of Asia and Europe.

The Nixon Watch

Civil Rights Report

The US Commission on Civil Rights experienced and demonstrated the difficulty of being kind to Richard Nixon last week. "I don't go for scapegoats, I don't think it's fair to put it all on one man," the commission's chairman, the Reverend Theodore M. Hesburgh, said at a press conference in Washington. His point was that the total society and the whole bureaucracy shared with the President the responsibility for the facts and attitudes that caused the commission to conclude, in the first of a series of periodic progress reports, that "the Federal Government is not yet in a position to claim that it is enforcing the letter, let alone the spirit, of civil rights laws." Some of the reporters at the press conference refused to buy that line or to be impressed by Father Hesburgh's plea that "it's easy to get headlines if you say the President is a bum" instead of holding to the duller view that "it's a matter of the whole system." They tried again and again to make him and the five commissioners who were sitting with him say, as they had said in a critique of the federal effort last October, that accomplishment in civil rights "depends on the quality of leadership exercised by the President" and that the missing factor was "courageous moral leadership." The chairman, discernibly uncomfortable in his role of the President's protector, acknowledged that the necessary leadership was still lacking and had to "come from the top." One of the commission's two black members, Mrs. Frankie Freeman, said that "there has not been aggressive leadership on the part of the President and the federal government." Commissioner Maurice B. Mitchell, a white educator, said that "it's going to take much more pressure than the President is exerting" and pleased the clamorous reporters with his remark that "you are quite right when you exude a sense of cynicism."

The events that followed the commission's October critique and preceded its report on federal progress since then induce a mixed sense of cynicism and wonder. The cynicism arises from the evidence in both reports that the Nixon administration is incapable of the "comprehensive and total action" that the commission continues to demand. The wonder is that the record cited by the commission is no worse than it is and that a few Nixon assistants, serving an administration that accords civil rights a higher priority in its rhetoric than in its actions, were able to encourage and in some instances to bring about what the commission called "a number of positive changes" in the seven months under review. The only change credited directly to the President was "a substantial across-the-board increase" in funds budgeted for civil rights personnel and enforcement in fiscal 1972. Two of his assistants, Special Consultant Leonard Garment and George P. Shultz, the director of the Office of Management and Budget, appeared to the commission to be its particular and most effective friends at the White House. Without their "active intervention" and assertion of "personal interest," the commission said, some of the positive changes that it noted would not have occurred. One of the changes, due in part to quiet pressure from Garment, was the beginning of recognition by the Securities and Exchange Commission, the Interstate Commerce Commission, the Civil Aeronautics Board and the Federal Home Loan Bank Board that they have or conceivably may have some responsibility for the racial policies and practices of the industries and enterprises they regulate. Garment and Shultz are the President's men, their only power is his delegated power, and in this sense their intervention was his intervention. On some occasions, it is said at the White House, they acted for positive change only after consulting Mr. Nixon and with his specific assent. Beyond that generalization, assistants who were invited to specify and document examples of the President's personal and positive actions in behalf of civil rights would not go. In the only instances I was able to pin down, Mr. Nixon's influence was negative.

These instances had to do with federal action to encourage or require suburban integration and with the Civil Rights Commission's insistence that the traditional merit system must be substantially modified if black and other minority employes are to get a fair shake in federal hiring and promotion. Mr. Nixon forbade any departure whatever, in White House and departmental responses to the Civil Rights Commission, from his declared position against "forced integration" of any kind and against federal action to require the "economic integration" of all-white suburbs. In the selection of sites for federal offices and other installations, and in the conditions attached to federally subsidized housing, the General Services Administration and the Department of Housing and Urban Development were forbidden to indicate to the Civil Rights Commission that they will put any more

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than the minimal emphasis they put now upon fair and open residential policies. Mr. Nixon went along with a recommendation that the Civil Service Commission *allow* federal agencies, including his own Office of Management and Budget, to set numerical goals for minority hiring and promotion and to fix timetables for meeting the goals. At George Shultz's strong urging, and with the President's approval, OMB has increased the number of black employes in professional grades from 11 to 33, in the last six months. But the President balked at the Civil Rights Commission's view that the Civil Service Commission should *require* what amounts to minority hiring and promotion quotas, though nobody calls them that. A tepid and permissive directive was in preparation at the Civil Service Commission last week, long after the Civil Rights Commission had been told that it had already gone out to all federal agencies.

Two of the positive changes occurred within Mr. Nixon's own shop. His Cabinet Committee on Education, set up last year to further "voluntary" school desegregation in the South, was enlarged and transformed into a permanent Committee on Civil Rights, attached to the President's Domestic Council. All that was missing, as the commission noted, was a clearly defined mission for the new committee. Mumblings at the White House indicate that it will function on an *ad hoc* basis, handling any particular jobs the President may assign to it. When Mr. Nixon and assorted counselors finally decide what to do about it and in the aftermath of the recent Supreme Court decisions, calling for expanded busing and other measures to complete school desegration in the urban South, the committee may be used as its predecessor was to diminish white resistance and the consequent political harm. A logical task for the committee would be to formulate a clear and forceful civil rights policy. As Leonard Garment told the Civil Rights Commission, however, the need is not recognized at the White House. Just read Mr. Nixon's speeches and statements on civil rights, Garment said, and the policy will be perfectly plain. That is correct. The essence is that the law does not allow what the law does not require, a formulation that permits a narrow range of civil rights action and amounts to an abdication of presidential responsibility.

The other White House action that the commission applauded within limits was the acceptance by Shultz and OMB of "a leadership role in civil rights enforcement." This means, in theory and perhaps in fact, that the enormous powers of the budgetary process will be brought to bear upon departmental and agency practices and policies affecting civil rights. In memoranda dating back to last October, Shultz has instructed his senior assistants and the 150 OMB examiners who review agency budget requests to demand positive evidence that the requirements of law and of presidential policy are being met in civil rights matters, and that each agency has both the will and the manpower necessary to meet them. That's fine, the Civil Rights Commission says in response, but it can't amount to much until and unless Shultz establishes a Civil Rights Division in OMB and entrusts the oversight function to dedicated civil rights specialists instead of to OMB career officials. This the President and Shultz refuse to do. They are not about to vest that kind of power in people who bring to civil rights enforcement the passion the Civil Rights Commission tries to evoke.

John Osborne

Report From China — IV

The Army and the Party

by Edgar Snow

All China is a great school of Mao Tse-tung Thought and the army is its headmaster. "We are all connected with the army," said Premier Chou En-lai, and he might have added, "the army connects all of us."

Premier Chou was patiently explaining to me why it is misleading to single out individuals in the rebuilt Party and government administration as "military" and "nonmilitary." Is not Mao Tse-tung "military"? Father of the army, which he organized, he is also head of the Party. Chou En-lai himself was a general when I first met him in the Chinese Red Army years before it became the PLA – the People's Liberation Army. Defense minister Lin Piao wore the stars of a

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marshal before rank was abolished. He is also a vice-premier and now he is defense minister and Mao's constitutionally designated "successor" to Party leadership.

Is China "militarized"? Yes and no. Mao has said that the army plays a leading role in the dictatorship of the proletariat but he has also said that the Party commands the gun and the gun shall never command the Party. From kindergarten up, China's schools are organized in squads, companies, and brigades. So are factories and communes. And all able-bodied adults see service in the militia, run by the army. But it is the first duty of the PLA to propagate Mao's Thought, which is not *Mein Kampf*. It contains no doctrines of racism, foreign conquest or the export of revolution. At home it teaches liberation through class revolution as well as service to the people and preparedness against war. Consider some unusual army activities.

Scene 1. We are in a school for "deaf and mute" children in Shenyang, capital of Liaoning province in Northeast China – once called Manchuria. The school is run by a PLA medical and propaganda team of five experts in acupuncture. Students arrive here unable to hear or speak but they are not congenitally deaf. They have lost their hearing as a result of measles, meningitis and high fevers of various kinds.

The school nucleus existed before the cultural revolution, we are told by Li Chun-shan, who heads the army team. Students were formerly taught to communicate by sign language. In 1966, when Chairman Mao received millions of rebel Red Guards in Peking, this school sent a squad to Peking, waving their little red books of Mao's Quotations – edited by Lin Piao.

"When the students saw Chairman Mao they wept for joy," said Li, "but they could not shout with the others. All they could do was stamp their feet. Seeing this, our commanders told us to pay attention to Chairman Mao's directive, 'Chinese medicine is a great treasure house,' and serve the people. We medical aid workers had already experimented with acupuncture as a cure for deafness. We began more intensive experimentation, beginning on ourselves, pushing the needles beyond the old 'forbidden zone,' as deep as we could stand it.

"In November, 1968, we were sent to take charge of health and acupuncture training in this school. We taught the techniques to the staff and won their support. In a short time many students were able to hear and speak. The first thing they learn to say is 'Long live Chairman Mao!' In two years we have treated 582 students and more than 98 percent have resumed hearing. About 80 percent recite short quotations and can sing, 'The East is Red.' A fundamental change has occurred. You see no more sign language. Now you hear children singing and reading aloud."

Naive? One must see the faces of the children and hear their voices – high, straining with effort. They range in age from 9 to 20: healthy, warmly clad, eyes glowing, watching the PLA's commander Li like a god. We see their daily acupuncture treatments – needles inserted deeply behind well-washed ears. "Fear neither hardship nor death!" shouts one lad, close to tears.

We visit classrooms where advanced students recite or read aloud. (Their work here takes them up to middle school.) We encourage their efforts with applause. They listen to the foreign friends with ineffably moving smiles of trust and hope. They take our hands in theirs as we walk down the aisles. Then with the help of a nearby middle school orchestra they put on a performance of songs and dances for us. When we leave, they follow us to the street, still smiling.

Such schools now exist in many Chinese cities and towns. I asked the opinion of a Dutch doctor and his wife, whom I met in China. They had both worked for years in a school for mutes in Amsterdam, using advanced European techniques. They shook their heads. "It's like Lourdes," they said, "faith healing." Acupuncture is still unexplained by theory, but it is much more than Lourdes, as increasing numbers of European acupuncturists can attest.

Scene 2. In a commune village in northern Hopei, I stop to photograph an attractive stone farmhouse. Going inside, I find it empty except for a comely young woman with needles in her arms and face, and a uniformed young man beside her. She is a barefoot doctor receiving training in acupuncture from a PLA medical worker. Spread on the wide *k'ang* (heated brick sleep-platform) I see large piles of grasses, aromatic herbs, dried tubers and other ingredients of the Chinese pharmacopoeia. The girl's team has been gathering them from the hills. On the *k'ang* also is her red-cross pack of modern medicines, including birth control pills. And this picture can also be duplicated in the thousands of villages of China.

Scene 3. We are in Nanniwan, deep in Shensi province, and about 200 kilometers north of Sian and 90 kilometers southeast of Yenan, the famous World War II headquarters of the Communist guerrilla forces. It is now a state farm – "owned by the whole people" – and operated by the 40th regiment of the PLA Agricultural Construction Corps. The commander is a

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EDGAR SNOW *recently revisited mainland China to gather information for Western publications, the first American to do so since the cultural revolution. Former correspondent of* Look *magazine, his writings include* The Other Side of the River: Red China Today. *This is the fourth in a series of reports by Mr. Snow, the first, second and third ("Talks With Chou En-lai," "Aftermath of the Cultural Revolution" and "Population Care and Control") having appeared in* The New Republic, *March 27, April 10 and May 1.*

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tall, lean, windburned Long March (1935-36) veteran named Chu Shao-ch'ing.

In its heroic period, Nanniwan was carved from the wilderness, and Chu Shao-ch'ing was there, together with other guerrillas. Later it became a reform-through-labor farm, but in 1965 that was dissolved and a state farm was formed. It did not prosper and many of the workers ran away during the cultural revolution. The army came back in 1968 and led in construction, until the farm now has 18,000 hectares of forest, fruit and grain lands. There are about 30,000 people under the regiment's command, with a mixed working force of peasant families long settled here, Party cadres, students, and former Red Guards, backed by a regiment of soldier-worker-peasant labor.

I learn from Chu Shao-ch'ing that the total output belongs to the state and the wage system is about the same as in other state enterprises. Resident peasants have their own homes and small private plots but are paid in wages like the temporary workers. The latter receive free lodging but must pay about $5 a month for food out of an average wage of $17 a month.

The most interesting corner of Nanniwan is its May 7th Cadre School, directed by Liu Yu-sheng, a former Communist Youth leader in Sian. May 7th Schools were formed in rural China in accordance with a directive of Chairman Mao issued on May 7, 1968: "Going down to do manual labor gives vast numbers of cadres an excellent opportunity to study once again; this should be done by all cadres except those who are old, weak, ill or disabled."

Accordingly, the revolutionary committees, formed as organs of power seized during the cultural revolution, promote treks of "vast numbers" of Party members to the countryside to "do manual labor." And accordingly here are 216 "Mao fighters" in Nanniwan's May 7th School, most of them aged 30 to 40, with a sprinkling of older men and women, up to age 61. These "students" come from Party organs in Sian and neighboring rural communes. They include seven doctors. All have "volunteered" – in agreement with their unit leaders – to study and restudy the works of Mao Tse-tung. (They also study selections from other Marxist-Leninist works.) They had been "divorced from the masses." Now they seek to integrate with and learn from the peasants and soldiers, and to "remold their world outlook."

Take Liu Wen-yu, a former director of a Sian middle school. He is now working in the wheat fields. Hsi Ch'iu-fang, aged 29, was secretary of a commune section in Sian. She now belongs to the School's first company of rice planters. Greying T'an Chung, who wears a mauve corduroy jacket at the excellent lunch provided from their farm product, smilingly tells his story. He was a senior cadre member of a Sian revolutionary committee when he realized that he needed to participate in "collective productive labor" – "to become one with the masses." Now he is in charge of Nanniwan's pigsties – and has just become a "Maoist activist." How do you achieve that? Whenever your squad votes that you are not just a good student but are "applying the Thought of Mao Tse-tung in a living way."

They do all the chores, they open new land, and they build new houses or caves. They labor during the farm's busy season, and study and debate in slack time, under army leaders. In six months or a year they may achieve "Mao activism." Meanwhile they retain the wage status they had according to their rank in the cadre system. Surely some – and certainly not all – may be as happy as they look at this radical change from city life.

State-owned farms may now account for more than 10 percent of China's agriculture, compared to commune collectives. They are operated under PLA and Party leadership in every province and on every frontier. Wherever May 7th schools reclaim land or open new land that also becomes "owned by the whole people." Along the seacoast and on inland waterways the Army Construction Corps is busy reclaiming marshland, to put to state agricultural use. From Turkestan to the Siberian frontier the army is building and settling new communities integrated with the defense system.

Who provides the labor, apart from the fighting forces themselves? Party cadres are a small percentage. Under the new educational system middle school graduates must spend three years at manual labor before they go on to higher education, *if* they are selected by their squads and companies. Their schools decide, within plans set by regional revolutionary committees, how many students to assign to the universities, armed forces, factories, farms or frontiers. Such youths have apprentice status and are provided only with food, clothing and "pocket money." The Army Construction Corps trains hundreds of thousands – no foreigner knows how many – and joins them with skilled and unskilled labor drawn from the cities. Many settle down permanently at the site of their building work.

The army engages in large afforestation and housing projects and builds strategic dams, power plants, bridges, tunnels and roads. During the cultural revolution the PLA Construction Corps completed the difficult Chengtu-Kunming railway which connects Vietnam with Turkestan. In Peking it built the new subway. In all China it supervises work on the extensive air raid shelter system. Naval officers were in command of the Shanghai shipbuilding yards when I visited new ocean liners being launched there. In the rural communes the army is represented through the militia down to the brigade and production team level. And the People's Liberation Army of course operates

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all military and nuclear industries.

In all organized cultural life army officers play leading roles in the managing revolutionary committees. These are a "three-way alliance" of the "reliable Party cadres," mass organization delegates, and "responsible" military representatives. "Responsibles" were always in a minority but nearly always I found them commanding the chair. Not only universities and hospitals are under ideological indoctrination by the PLA General Political Department. So was the revolutionary committee of a ballet company I visited back stage in Sian, as was another in Shanghai.

Any visitor to China can quickly see that the armed forces are popular. The soldier's public behavior is exemplary and among the people he seldom carries arms. In the village he wields a spade and Mao's little red book. It is a highly disciplined, democratic, worker-peasant army, and under Lin Piao it is almost back to equalitarian standards of the Yenan ideal. With all its new responsibilities, the field army doubtless has expanded beyond its former 3,000,000. It is still small compared to the US Army in proportion to the population. It is unquestionably less burdensome. It grows much of the food it consumes, takes nothing from the people, has no camp followers, and is ever ready to help in emergencies in field or factory. It teaches not only the most purified Maoism but many techniques besides acupuncture.

Base pay for the first class private – "fighter" he is called – is now about $6 a month but he gets all his simple needs supplied free, and a furlough once a year. Although material incentives are nonmentionable now, to end the year with $50 or more in savings is better than an 18-year-old can do as an apprentice. Officers are drawn from the ranks and their pay scale is also low, having recently been cut by 30 percent, at the high levels. Generals get $100 to $150 a month but there are many side benefits.

Primary schools are filled with little Red Soldiers, and nearly every family I met aspired to produce at least one son or daughter able to satisfy high PLA entrance requirements. To refuse service would mean turning down the best start in life anyone can have on his record.

All that reads well but there is a certain uneasiness among some Party members about the power role inherited by the army following the breakup of the Party bureaucracy during the cultural revolution. In the past a peasant family aspired to put one son through school in the hope that he could then become rich and powerful. "Becoming a cadre in order to become a high official" is constantly condemned and one reason for remolding cadres in the May 7th schools. But what about "becoming a soldier in order to become a high officer?" Is there not a tendency for high military officers to become overlords of the Party? An "army dictatorship"? Absurd, says Premier Chou. How could that be? The PLA (which includes the air force and the navy) is "an instrument of the Party" and the servant of the proletariat. "The army is loyal to the Party; the Party within the army has always held leadership through its organizations right down to the company level." Army cadres are less than one tenth of the former Party membership. Can they run the country alone – plus all their production and defense tasks?

Mao Tse-tung had hoped that during the purge and cultural revolution a younger generation of "successors" would emerge to replace the "capitalist roaders" entrenched in the administrative bureaucracy. When millions of students and workers were "turned on" in 1966 they did rise to express long-repressed grievances against the Party elite. But the "rebels" failed to unite in a choice of new leaders and forms, they fell into many factions, fighting broke out, and near anarchy prevailed. The army was the only experienced Party organization still intact. Events obliged Mao reluctantly to call upon the army to end the chaos and "support industry, support agriculture, support the broad masses of the left, establish military control, and lead ideological and military training." Casualties ran into hundreds of thousands before the army took up weapons to restore order.

The task of reconstructing the dismantled state and Party administrative apparatus inevitably fell heavily on Chou En-lai. Premier since 1949, he was the most experienced top-ranking state-builder left in office. Today No. 3 in the Party, he enjoys wide confidence among all three elements of the revolutionary committees which must somehow be welded into united administrative teams. There is the job of reintegrating the technicians and other experienced Party cadres put through the wringer by the purge. The hardest task is to inject into those teams enough "new blood," drawn from the ranks of the workers' congresses (which replaced the labor unions), and from the peasant communes, to make the body politic more directly answerable to the masses – the non-Party, non-army majority.

Then what is Chou's formula? "In our socialist state," he told me, "we are all equal within the Party, whether you work in the government, in the Party, or in the army. Once army cadres go to work in government organs they become government workers and are no longer in charge of army work. They are in fact transferred from the army. So in a few years they will become just like us."

"Just like us" – meaning like Chou En-lai? Fifty years of revolutionary experience produced, in Chou, a man for all seasons. Can the new mixture produce proletarian successors fast enough to take over when the elders depart? Nobody works harder on that question than the premier himself.

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Getting Nowhere Through Channels

by John V. H. Dippel

Congress shall make no law . . . abridging the freedom of speech or of the press . . .
1st Amendment

The right to express opinions on matters of public and personal concern is secured to soldier and civilian alike by the Constitution and Laws of the United States . . .
Office of the Adjutant General, Department of the Army

On a bright Sunday in January 1970, three American soldiers were arrested outside an Army theater on Okinawa and taken to military police headquarters for questioning. The arrests were made quietly and without resistance, the MP sergeant saying only that the three were being detained because they had been passing out statements "critical of the United States government." He was referring to over 100 copies of a leaflet titled "Why Not Okinawa, Spiro?"

The three soldiers – Sergeant Roger Kingsley, Corporal Mark Malone and myself, then also a corporal – were all members of the 441st Military Intelligence Detachment, assigned to the 1st Special Forces on Okinawa. Kingsley had served in Vietnam with the 1st Cav as a counterintelligence agent. Malone had been trained as an "area intelligence specialist" and I as an interrogator of war prisoners. I was the only draftee among the three of us. We shared a deep opposition to the war in Vietnam and to US policies on the island of Okinawa. We wanted to make our views known.

The one-page flyer suggested that Vice President Agnew had avoided coming to Okinawa on his recent Asian jaunt because he would have been embarrassed at the hostile reception many Ryukyuans would have given him. It called for the withdrawal of all US troops from the island, as well as an end to B-52 flights and the removal of all nuclear, biological and chemical weapons from Okinawa. At the bottom, the leaflet was signed "GI's United Against the War" and gave my name and unit. I had belonged to this GI antiwar group at Fort Bragg, North Carolina and had hopes of organizing a similar group on Okinawa.

At MP headquarters in Sukiran the three of us were questioned initially by a member of the Criminal Investigation Division (CID) and then by two solemn members of the 526th Military Intelligence Detachment, since our case appeared to involve security. (Malone and Kingsley held top-secret clearances and I had a secret clearance.) We were told that we were being formally charged with illegal distribution on an Army installation, under a local USARYIS (United States Army, Ryukyu Islands) regulation and were then released in the custody of Captain Hugh Cox, our executive officer.

A placid coral isle miles off the China coast, Okinawa is generally regarded as a "good tour." Aside from a bad drug situation in the dependents' high school, some lurking racial tension and a few chronic worries about anti-US demonstrations, the island has few long-haired hippies ("Beautify Okinawa," reads the poster, "get a haircut"), no unemployment, little pollution and scarcely a ripple of discontent with the Vietnam war "down south."

Apparently no one in this massive American military community had "dissented" before – at least not in public, and never smack in the middle of the largest Army complex on the island. Word of the incident reached Colonel Charles M. Simpson, commanding officer of 1st Special Forces via a telegram at the Pentagon. The Pacific command on Hawaii also received intelligence reports.

For a while we heard nothing more about the threatened court-martial. Under military legal procedures it fell to our immediate commander, Lieutenant Colonel James J. Tajiri, to determine whether we should be tried. For two days he buzzed in and out of the Staff Judge Advocate's office. Army Regulation 210-10 does give local commanders (such as the commanding general on Okinawa, Lieutenant General James B. Lampert) the option of requiring prior approval before distributing on-post, but USARYIS officials had never thought to do so. As far as we knew, we had violated no regulations.

Finally, January 27, we were summoned before the acting commander of 1st Special Forces, Lieutenant Colonel Richard Kim. He read us a revised version of the USARYIS regulation on distribution, dated the same day, which made all leafleting henceforth illegal. Colonel Kim said he was unhappy with the way

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John V. H. Dippel, *a 1968 graduate of Princeton, spent 22 months in the US Army.*

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we had chosen to express our opinions. He said that I was to be reassigned to the 1st Civil Affairs Battalion on another part of the island. He did not say why.

This first confrontation had ended in a draw. We had escaped court-martial and the stockade through a legal loophole, but the basic question of our right to "express opinions" had not been resolved. With this in mind, I decided to probe further and submitted a series of quotations (from the 1st Amendment, John F. Kennedy and the Adjutant General) for approval. Again, I added the tag "GI's United Against the War."

After a puzzled Colonel Kim quizzed me on the reasons for this request (I suggested that AR 210-10 was "probably unconstitutional"), he arranged a meeting with Colonel Robert Little, who had final say on such administrative matters. Col. Little, a kindly, gray-haired veteran of over 25 years' service, calmly stated that he regarded any act "that incites dissent" as disloyal. He did not care for any organization called "GI's United" and saw it and any antigovernment or antiwar statements as a danger to morale and loyalty. He strongly implied that my request would be refused. This was to remain the official USARYIS comment on dissent.

On March 7 I sent a letter to Melvin Wulf, chief legal counsel for the American Civil Liberties Union in New York, asking his advice on a constitutional challenge of AR 210-10 – the regulation which gives commanders the right to bar distribution of any written material they consider "a clear danger" to the discipline, loyalty and morale of their men. Wulf wrote back, offering to file a lawsuit in my behalf, but cautioning that such an undertaking would take months and wouldn't be settled until after I had left the Army.

I also wrote my congressman in New Jersey, Rep. Peter H. B. Frelinghuysen, complaining that my reassignment to another unit on Okinawa appeared to be in retaliation for having dissented. During this interim, Kingsley, Malone and I were the subjects of several "security background interviews" at the direction of the G-2 (intelligence branch) at Pacific command headquarters on Hawaii. (These interviews inquired into our drinking habits, disloyal tendencies and so forth.) Our access to classified material was curtailed, pending the outcome of this investigation.

On March 17 I submitted a second request for distribution rights, this time attaching, without comment, a long passage from the Declaration of Independence (". . . we hold these truths to be self-evident . . ."). There was nothing even mildly "antiwar" about the flyer – no names or organizations were listed. In this way, I hoped the USARYIS command would have to rule solely on the principle of "the right to express opinions." Who could label the Declaration of Independence a "clear danger" to morale?

This request reached Colonel Little's desk and was relayed to the Staff Judge Advocate's office for a legal opinion. It was given to the Assistant Judge Advocate, Major Hugh T. Henson, Jr., a Yale Law School alumnus and career officer, for screening. More than a week later the paperwork went back to USARYIS headquarters with Henson's memo recommending that distribution not be allowed. Henson argued that permission was not being sought to "communicate ideas" but simply to "test" the command. "There is no legal argument," he wrote, "for allowing distribution for the sake of distribution." In his memo Major Henson warned that I was trying to assert my independence of military authority, that I was using a sacred historical document for my own purposes and hence degrading it. "To be painfully blunt," he said, "the Declaration of Independence is a subversive document." Henson ended his recommendation by pointing out that I was dissaffected and disloyal and would spread my ideas on Okinawa, if not checked. (This memo was never officially shown to me, but was "leaked" from the Staff Judge Advocate's office.)

In the beginning of April I applied for a leave in Japan. As I was later told, some high officers in the USARYIS G-2 feared I would defect. A tracer was initiated in Japan to check out the identity of a friend I had cited in my leave address; it turned up nothing.

I did use my trip to Japan to speak with Philip Shabecoff of *The New York Times* in Tokyo. I informed him of what had occurred, of our arrest, of my subsequent request, and of the Army's delay in replying. Publicity, especially from a newspaper like *The Times*, would be immensely valuable, both in preventing the Army from smothering the charges and in stopping USARYIS officials from retaliating. Shabecoff expressed interest in the story.

The day after I returned from Japan, April 12, the USARYIS command discussed my distribution request at a staff meeting chaired by Major General Robert B. Smith, Deputy Commanding General for the Ryukyu Islands. (General Smith once worked for a newspaper in Louisiana.) Colonel Kim represented 1st Special Forces. He was criticized for being too lenient. ("Why, a soldier just doesn't have the same rights as the average citizen," one officer told him.) General Smith also questioned the wisdom of reassigning me to the Special Forces information office – a dangerous place, he said, for a known dissident. Colonel Kim defended this move. He said I could be of use with articles depicting the "positive side" of the Army on Okinawa. The meeting ended with a decision to seek further information before allowing distribution of the Declaration of Independence to take place.

Over five weeks had passed and my request was still unanswered. I made inquiries to the Inspector General and to a Captain Coleman, who was handling my case for the Directorate of Personnel and Administration, but received no definite reply. Then, on

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April 22, the Adjutant General on Okinawa, Lieutenant Colonel R. P. Krug, wrote, saying the command could not answer until "the purpose and objective" of the distribution were made known.

Under AR 210-10, only the subject matter of leaflets and pamphlets warrants screening for subversive or disloyal tendencies. There is no requirement to disclose motives or "objectives." Therefore, I decided not to supply the information Colonel Krug wanted. On April 23 I spoke with a Master Sergeant Winters at the Inspector General's office. I said that Colonel Krug's questions were irrelevant. Over the phone, Winters claimed the command "had a right to know why." He said they were "worried about people taking the Declaration of Independence and crumpling it up and throwing it all over the island." I replied that my giving the reasons for handing out the Declaration would not stop anyone from littering Okinawa. "Well, if you don't tell them," Winters concluded, "they won't be able to act on your request."

We had reached a deadlock. The only way to force the Army's hand was to charge General Smith, as the responsible officer, with having violated AR 210-10 by his refusal to allow distribution. The Uniform Code of Military Justice provides that any man in uniform, even the lowest private, may prefer court-martial charges against any other person subject to the code, including two-star generals. I could not expect the Army to court-martial one of its generals, but there was good reason to hope such a move might prompt the USARYIS command to stop dragging its heels.

Under the UCMJ, charges are brought to the attention of the accused's immediate commander, in this case (as I thought) General Ralph E. Haines, commander-in-chief, US Army, Pacific, in Honolulu. On April 27, I mailed a statement of charges to Hawaii, accusing General Smith of having violated AR 210-10 in not respecting the "free access to publications" philosophy of that regulation. I also charged General Smith with being derelict in his duties for failing to "exercise his authority with promptness" in response to a request to distribute written material on the Fort Buckner grounds.

The appropriate passages in AR 210-10, dated March 20, 1970, read as follows:

> AR 210-10, 5-5: a. . . . At the same time, troops are generally entitled to the free access to news and publications which other citizens enjoy.
>
> b. . . . installation commanders will not, except as provided in this paragraph, take action to control or restrict the dissemination of publications, even if such publications are believed to be in poor taste or unfairly critical of Government policies or officials. The installation commander will be guided by the principle that, except in cases in which a publication constitutes a clear danger to military loyalty, discipline or morale, military personnel are entitled to the same free access to publications as are other citizens.

If a local commander is unsure whether a publication poses such a danger, he may impose a temporary delay and contact Headquarters, Department of the Army, in Washington, and ask for a ruling. "Telephonic communication will be used in each instance."

It appeared that either through ignorance or deliberate neglect, General Smith and his staff had overlooked AR 210-10 in their anxiety not to grant distribution rights. Seeking outside support, since the US military exercises rigid control over news emanating from Okinawa to the States, I wrote to Shabecoff and Robert Liu, an Associated Press writer in Tokyo. I also wrote Senator Sam J. Ervin of North Carolina, Wulf of the ACLU and Rep. Frelinghuysen. I asked Wulf if he thought it was possible to file a suit challenging AR 210-10 on 1st Amendment grounds.

Several things happened almost simultaneously on April 29. Colonel C. E. Carney, the Staff Judge Advocate, called together his staff and jokingly told them of a rumor that "Dippel was bringing charges against General Smith" and cautioned them not to give out any legal advice, should I visit their offices. Meanwhile, Shabecoff had called from Japan and talked with the USARYIS information coordinator, Major R. L. Horvath. Major Horvath said he had "no official information" about any charges but promised to find out if there was any truth to them. He asked Shabecoff whether his source had been someone on Okinawa. No, replied Shabecoff, the source had been in Japan.

Phones began to ring. Colonel Simpson was informed. So were General Smith and General Lampert at USARYIS headquarters. Late in the afternoon I was called into Colonel Simpson's office and asked if Shabecoff's information was correct. I said it was. Colonel Simpson urged me not to speak with him until the command in Hawaii replied to my original letter. This I agreed to do. (*The Times* stringer on Okinawa eventually decided to leave the story alone.)

The same day General Smith received a telegram from Hawaii citing the charges against him and saying that the whole matter would be sent back to Okinawa "for an inquiry into the allegations." In Honolulu, the legal staff was upset. The Pacific SJA, Colonel Slade, called Okinawa and decried the way USARYIS had handled the case. According to Slade, the request for distribution should have gone to the Pentagon.

On May 4 I answered Colonel Krug's letter by quoting a passage from the USARYIS *Daily Bulletin* on matters of distribution: "All requests to distribute will include desired method of distribution and sam-

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ples of material to be distributed." I pointed out that these stipulations had been followed to the letter. Within a week a second letter came back from Colonel Krug. My endorsement "had been reviewed" and my request forwarded to the Department of the Army "for final decision."

General Smith and his aides continued to believe they had taken the right steps in blocking distribution of the Declaration of Independence. It was to be expected that the charges against General Smith would be dismissed. On May 14, I was handed a letter from General Lampert. This investigation had found "no evidence of unconscionable or illegal delays." As far as the commanding general was concerned, "no further action" was contemplated.

I did not think the improper handling of my original request should be so easily brushed aside. There was also a serious question of conflict of interest in General Lampert's reply, written as it was in the Staff Judge Advocate's office. (The letter bore his office symbol.) As often is the case in the Army, the powers-that-be were acting in overlapping roles: judge and jury, prosecution and defense, all wrapped into one. The SJA was largely responsible for the USARYIS command's failure to approve the distribution request. How then could the SJA impartially decide that General Smith had not been guilty of any "unconscionable or illegal delays"? I decided to write the Pacific Judge Advocate with the hope of reopening the matter.

Meanwhile, in Washington, Senator Ervin's subcommittee on constitutional rights had written to the Secretary of the Army, Stanley Resor, in response to my letter. Senator Ervin's office asked for an investigation to "determine the justification for this denial in light of AR 210-10 and the First Amendment to the Constitution." Unless the Army could show some "definite, overriding and constitutional interest in [the Declaration's] suppression, the distribution of the material in question is protected by the First Amendment," the letter stated. Rep. Frelinghuysen started an inquiry of his own, asking the reasons for my transfer to the 1st Civil Affairs Battalion.

Within two weeks the Pentagon granted approval to pass out the passage from the Declaration of Independence. However, it left the specific conditions in the hands of Army officials on Okinawa. On May 26 Colonel Krug issued a long list of restrictions that would apply to any distribution on Fort Buckner. It would have to take place on a certain day (May 31, a Sunday), within a four-hour time span, and in two small areas of the Fort Buckner shopping complex. (An attached map showed these two areas.) Permission was to apply only to myself. I was instructed not to "comment editorially" on the material, not to pass out anything else, not to impede traffic, not to post the handouts on billboards, walls or automobiles. I thereupon wrote the Chief of Information at the Pentagon and argued that USARYIS had again overstepped its authority. I never got a reply. Only months later did I learn from one of Senator Ervin's aides that an Army spokesman in Washington had explained away the long delay in my case as justifiable "caution" on the part of commanders unaccustomed to dissidents in their ranks. Said Brigadier General Winant Sidle, replying to Senator Ervin: "I wish to emphasize the fact that the Army is keenly aware of the constitutional rights of the individual as guaranteed by the First Amendment. However, the commander is held responsible for a high state of morale, good order and discipline of his troops and must remain alert to attempts to undermine and subvert those same elements."

While the whole question of AR 210-10's constitutionality was being lost in a paperwork snarl between Okinawa, Hawaii and Washington, the intelligence channels were quietly stripping Malone and Kingsley of their intelligence assignments because they had displayed "a lack of maturity" and "poor judgment" in publicizing their dissent. (As a draftee I did not hold so sensitive a job.) A great deal of pressure was brought to remove me from military intelligence, partially because I was then seeking reclassification as a noncombatant. (This was the main reason Colonel Kim gave for removing me from the detachment in February. I never did lose my intelligence MOS, or Military Occupational Specialty, however.)

Captain Cox, executive officer of the 441st MI Detachment, wrote a long memorandum which called for removing any enlisted man from intelligence duties if he dissented in a way that "advertised" himself. The intelligence soldier is not a citizen-soldier in the full sense, he said, because he volunteered for a position of greater sensitivity and responsibility. (This was not true in my case. And neither Kingsley nor Malone was being used in "sensitive occupations" on Okinawa, but were merely performing housekeeping chores along with the rest of the detachment.) Wrote Captain Cox: "Superiors in military intelligence have an obligation to attempt to expel dissenters who place advertised dissent ahead of MI responsibilities." (Ironically, Captain Cox was discovered breaking into the unit mailroom the day before he was due to "rotate" back to the States, was sternly reprimanded, and ultimately chose to resign his commission.)

Following this logic, the Department of the Army ruled that Malone and Kingsley had committed an "indiscretion" which warranted the removal of their MOS. (Typical "indiscretions" listed in the Army regulation are chronic drunkenness, use of drugs and other "character deficiencies.") During his final week in the Army, Kingsley was assigned the job of warehouse foreman. Malone became a furniture inspector – the best job open to him, despite a year in law school.

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Most commanders on the island told him frankly that they were reluctant to take on a "problem soldier."

The question of illegal restriction on distribution was sent back to General Lampert after being examined on Hawaii. On June 26 the General replied to me by mail, saying that no offense had been committed. "I consider the restrictions placed on your distribution to have been reasonable as to time and place to insure that such distribution did not interfere materially with the military mission of this command," said General Lampert. (Because of the narrow restrictions, I had not attempted to hand out the Declaration on the allowed date.)

There was little point in arguing my case further within military channels. In the first week of July, I mailed letters to ten senators, detailing the events surrounding the distribution question. Identical replies from the Department of the Army were sent to each inquiring senator's office. The Army, wrote Col. Robert C. Kerner, Chief of the Policy and Plans Division, "considers that the restrictions imposed by the installation commander were reasonable and lawful."

On September 25, I was honorably separated from the United States Army in Oakland, California. The following week I went to Washington. A legal aide for the Senate constitutional amendments subcommittee said one would have to establish "a pattern of uneven restriction" to build a solid court case against the Army. "We can't blast everything that comes down the trail," I was told by another senate staff man. "If you cry wolf all the time, no one will listen. You won't have any influence, like Senator Fulbright." The aide said the constitutional rights subcommittee was trying to amass a number of cases for a new push in the area of military justice, but not until the next session of Congress. Anyway, there was nothing more the subcommittee could do about the Okinawa case.

Before leaving the Senate I stopped by the Department of Defense liaison office where a Lieutenant Colonel tried to explain the whole affair. "Now, regulations are only a guideline," he said firmly. "Only the minimum. Why we can't have someone sitting here in Washington writing regulations for the whole Army." Slowly he leaned back in his chair. "A local commander can do anything he wants to – that's why we have commanders in the military."

The Medicare Gap

Caring for Our Aged Poor

Louis H. Henry

What happens to millions of the "older" aged who suddenly find themselves alone, unable to care for themselves, and without money? To our national shame, they are often hidden in the slums of urban centers, barely surviving. Eventually they face placement in a substandard nursing home, or a state mental hospital. Or they die alone, unnoticed. The average individual in this group is 75 years of age, suffers from two or more chronic or disability impairments, is poor, and, more than likely, resides in a nursing home. Most are women, usually widowed or single.

There is no standardized, adequate program to care for our aged. Social Security and Old Age Assistance do [illegible] even provide incomes that meet officially-defin[illegible]overty levels. In fact, 30 percent of the elderly li[illegible]elow this income line – six million people! Income is only one aspect of the problem, although it is closely related to another – long-term care, where a person needs continual medical and personal care assistance. Without money, it is impossible to pay for help, let alone proper nutrition. Even here there is a joker: malnutrition can cause "senility" which, in turn, leads to institutionalization.

In a fit of irresponsibility, we have allowed the nursing home to provide most of the long-term care for the aged and ignored the results. Thousands of the aged poor, who could function with assistance in their own homes, are forced to vegetate in these nursing and mental institutions because there's no alternative. The nursing home is frequently used as a dumping ground for the unwanted. They are silenced behind the walls of the institution. They are discharged by a death certificate. Of course, thousands of quality-care facilities are available – if you can afford it. But the poor and near-poor cannot pay, nor are they helped

[illegible]H. HENRY *is an economist on the faculty of Old [illegible]nion University, Norfolk, Virginia.*

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to pay, from $600 to $1200 a month. When long-term care in an institution is required and third-party aid is absent, the patient quickly exhausts his personal funds in a quality-care facility. Then he must use Medicaid or apply for Welfare (in most states it is both) and be moved to an "approved" (cheaper) facility.

Nursing homes, in general, serve the chronically ill and convalescent aged, but the term has been used to describe everything from caring for the mentally ill to a place of confinement for unwed mothers-to-be. The name of the individual firm is rarely descriptive – "Peaceful Shaded Oaks" or "Tender Care Villa" or other such inanities. The Public Health Service calls these 23,000 institutions "Nursing and Related Care Facilities." It is an industry (nearly 90 percent are profit-seeking firms) that serves about one million patients and takes in $3 billion a year – 62 percent of it from government. Spending on nursing-home services has increased at a faster annual rate – 19 percent – than any other medical care outlay for the past six years – quite a commitment at first glance. But it is only $3000 annually on a per patient basis, and that's supposed to cover room and board, medical service and personal assistance in a safe, clean institutional setting. It doesn't and it can't.

Reports of scandalous treatment are numerous. A Ralph Nader task force testified last December before the Senate Special Committee on Aging to the horrible conditions it found, as well as to abuses in industry drug experiments being performed on nursing-home patients. Only a few weeks ago, several "concentration camps for the elderly" were closed in Chicago after a comprehensive investigation by the Better Government Association. For the curious and strong-of-stomach, there is a wealth of books, articles and reports on life in the substandard nursing home.

State licensing and enforcement of nursing-home standards began in earnest after 1950, but the only similarity between the 50 state statutes is the provision that all residents be placed under a physician's care. In practice, that simply means a physician be designated by the patient in case of future need. Only 17 states require registered nurse supervision, 13 call for 24-hour professional nursing care, and 28 mention a staff-patient ratio. Nursing staff can be anything from a registered nurse to an aide or orderly. One state regulation reads that "children under 18 years of age shall not be accepted for care in homes for the aged." It took a national law to force licensing of nursing-home administrators (effective 1970). Prior to this, only three states required some standards for competent administration. Nathan Hershey, an expert on health law, observed that licensing laws have become security measures for the professions that are interested in "protecting their own turfs." Feeble enforcement of existing regulations appears to be a characteristic of the industry. We still hear experts say that strict enforcement might close up to one-half the institutions in the nation. The effectiveness of the regulations has been negated by a shortage of beds and a shortage of trained personnel. To make matters worse, inspection is wholly inadequate. For instance, it has been reported that in some states (notably Florida and Virginia) institutions are actually told when the inspections will take place. Under such circumstances, we should expect no better results than in the coal mines, where the same practice prevailed.

Fragmented laws and weak enforcement can be traced to industry pressure and the low priority nursing-home care has in state and local budgets. Minimal welfare payments breed poor care, and the lack of alternatives breeds impotent enforcement. We face a problem that we've had for nearly 30 years – if we close the facility, the patient has no place to go. Frequently, substandard facilities are allowed to remain open "temporarily" (for years). An absence of quality-care beds or any type of nursing home bed may lead to an even more fateful consequence – commitment to a state mental hospital. Persons over age 65 account for nearly one-half the patients in these overcrowded, underfunded state institutions. Moreover, medical experts estimate that almost every one of them could be cared for at home or in a nursing care facility!

Good care is, of course, contingent on the quality of the nursing staff. However, full-time professionals are only 13 percent of all nursing home employees, while the nurse's aide accounts for 43 percent. In the aggregate, there is one registered nurse for every 38 patients, and only 19 percent of the registered nurses received some kind of training in the care of the aged. The nurse's aide – the employee who has most contact with the patient – is the least trained, lowest paid on the staff and is often hired without references or even a physical examination. A nursing home in a Chicago suburb was found to be paying a finder's fee for skid-row derelicts to work as nurse's aides and orderlies. These instant-medics were given authority to dispense narcotics and medication to the helpless inpatient.

Other medical professionals are conspicuously absent. Since geriatrics is by no means the most popular specialty in the medical world, serious absences are inevitable. When asked why he doesn't visit nursing homes more often, one doctor replied that "it depresses the hell out of me." A government survey estimated that only 800 physicians and 900 dieticians devoted their efforts full-time to nursing-home care. And remember, there are 23,000 institutions. It may be legitimate to argue that full-time physician care is [illegible]warranted in most facilities, but dietary supervision [illegible]extremely important. How can an institution feed [illegible]y-one for $1 a day, which is the average figure [illegible]n allocations for food? Thirty dollars a month fo[illegible] when the estimated wholesale cost of three glas[illegible]

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milk per day is $8 a month? Little wonder we hear reports of how a blind man was fed scrapings of leftovers, or how costs were reduced by diluting milk and making half-bread hamburgers.

Poor medical care, inadequate diets, personal abuse, and a filthy environment are evils enough but a greater terror is found in the building itself. In 1967, 40 percent of our skilled nursing homes failed to meet Hill-Burton standards on fire resistivity, safety of construction and structural factors. The most spectacular indicator of danger here is fire. Nursing homes have been ranked the number-one fire hazard of all residential structures by the National Fire Protection Association. Between 1961 and 1965, 2500 fires occurred in nursing homes. In 1965 alone, 38 lives were lost in 800 fires. The record shows little improvement – the year 1970 began with the death of 31 elderly people in Marietta, Ohio. Technology is not to blame. There are sprinkler systems, smoke detectors, automatic heat-actuated closing devices on doors, fire resistant materials, etc. – but they are said to be cost prohibitive and so are largely unused. One administrator reported that the cost of an automatic sprinkler system was only half of wall-to-wall carpeting. Ironically, the Marietta, Ohio, disaster was caused by burning carpets – the home had no sprinklers.

Beginning in 1970, all nursing homes were required by federal law to meet *state* fire and safety standards, but there's little interstate quality standardization. Where there is no state law, the homes must satisfy the *Life Safety Code* of the National Fire Protection Association, which is quite extensive and should be applied universally rather than as a last resort. Only 26 states have adopted it.

The blame for the appalling treatment found in many facilities cannot be placed solely on unscrupulous operators, an indifferent medical profession, or an apathetic public. Government must accept a double portion of guilt. First, as noted, the regulations and their enforcement are pitiful. Moreover, the federal regulation and certification of facilities that participate in Medicare, Medicaid and Old Age Assistance is left to the same state agencies. Then, too, the low government payments for nursing home care tend to induce poor treatment. Reports of poor care and shoddy conditions lead government officials to refuse increased payments to nursing homes. Low payments only perpetuate the inadequate care, either through inability to cover costs or to keep services at a minimum in the profit-oriented firms. Profits may depend upon the reduction of medical costs. One nursing home administrator provides an example of one method: use fewer nurses and replace them with tranquilizers.

Two examples of states where the payment effort is *above average* should make the problem obvious. In Florida, it is estimated that daily nursing home costs average around $28, or $630 a month, but the maximum public outlay is $350 per month. California sets a maximum of $14 per day, but private patients on an average pay over $65 more per month for the same care. No wonder the better-care nursing-home chains avoid building or franchising in several states where maximum payments are much lower. Others refuse welfare cases.

In addition to the Veterans' Administration activity (and it is minor), the public sector is involved in three nursing home programs; one is purely federal (Medicare), the others a federal-state endeavor (Medicaid and Old Age Assistance).

Part A (Medicare) covers treatment in an extended care facility for up to 100 days, provided the patient was previously hospitalized for at least three days. The majority of these institutions are skilled nursing homes, while the remainder are mostly hospital-based. The skilled nursing homes offer 24-hour, 7-day week professional nursing, supervision of diets, physician visits and a transfer agreement with hospitals. Additional services must be provided under the Medicare banner, services that are in line with the short-term, post-hospital nature of extended care. Coverage was designed to lower the total cost of Medicare by transferring convalescents from the expensive hospital to the lower cost extended care facility. It is a fine idea and should be expanded for the whole population, but it does little to solve the *long-term* care problems of the aged. Rarely do we find a Medicare recipient receiving coverage for the full 100 days.

Contrary to the other nursing home programs, the complaints over Medicare payments are not centered on their adequacy but on their ever being paid. Retroactive denials and mandatory repayments to the government have brought hardship to both patient and facility. The problem stems from an initial misunderstanding as to what exactly was covered under Medicare, and since expenditures have exceeded all estimates, the issue was shortly made very clear. Thus: the law states that after discharge from the hospital, Medicare covers extended care if admission takes place within 14 days of the discharge. Recently, a woman could not be admitted to the extended care facility within the time period because no bed was available. When she finally entered the extended care facility her benefits were denied. Or again: a person may need extended care but be denied benefits. The aged often experience several medical conditions. Nevertheless, Medicare pays for extended care services of an illness that was the *cause* of prior hospitalization. It does *not* cover conditions that developed while a patient was in the extended care facility, even if the condition needs extended care facility services. He must take the costly hospital route again to receive eligibility for payment.

As a result of these and similarly bewildering re-

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strictions, many nursing homes are withdrawing from Medicare. Some state nursing home associations have advised members not to participate. The real loser is the elderly patient who must pay the bill if benefits are denied, or who cannot receive the care because of bed shortages. And, of course, Medicare ignores the problem of institutionalized long-term care.

In his "Health Partnership" message, Mr. Nixon made some positive suggestions for health care protection for the elderly. The most significant, perhaps, is the use of Health Maintenance Organizations (prepaid group practice) by Medicare recipients. This would add the much-needed aspect of preventive medicine, as well as lower costs, to Medicare. He also proposed eliminating the monthly premium ($5.30) for outpatient and physician insurance of Medicare. But the estimated windfall of $1.3 billion for the senior citizens would be more than offset by two of Mr. Nixon's cost-savings proposals: they would have to pay from $5 to $15 a day for hospital care after the 13th day and pay the first $50 of doctor's services. These two proposals were added to the other suggestions made last year, under the Federal Economy Act of 1970, to trim spending on Medicare and Medicaid. The Congress failed to enact this law, but assuming all the proposed changes are condoned by the legislators this year, the federal budget could be reduced by $800 million. Edward Murphy of the National Council of Senior Citizens called it "an outrageous attempt to save money at the expense of people least able to pay." Other than that, Medicare would remain unchanged, including its neglect of long-term care. When a person needs care in a nursing home he must rely on personal funds until he soon joins the ranks of the millions of aged who are poor. What then? Mr. Nixon: ". . . Medicaid would continue for the aged poor, the blind and the disabled." That's all.

The American Public Health Association has charged that Medicaid perpetuates a system where "concern with payments takes precedence over . . . critical issues of health service." Several restrictions contained in the 1967 amendments make the Medicaid program particularly vulnerable to such accusations. Moreover, the Administration is still proposing that payments be reduced for cases that *exceed 90 days of care in nursing homes* – the very facilities whose primary function is long-term care – where the national average length of stay is one year. (Some states report longer stays of "448 days," "two years," or "until death.") Cost savings in this manner wreak havoc with redistributive programs. How absurd to define a need ("health care is a right"), endeavor to fulfill it, and then take away the means to achieve the end.

At first it was thought that Medicaid would fill this Medicare gap. Skilled nursing home care (without prior hospitalization) was required in all state plans for patients age 21 and over, with no limits on stay. Medicaid pours $1.3 billion into the nursing home industry – a good indicator of its role compared to Medicare's $295 million annual outlay.

The Medicaid-nursing home encounter has, however, been a sorry one. Withdrawal of facilities from the program has occurred, not because of widespread disenchantment, but because the government has made it profitable to withdraw. By certifying everyone needing skilled nursing care, a state could receive unlimited matching funds under Medicaid. Thus, combined governments could pay up to $300 a month for skilled nursing while the payment level for other nursing facilities under the Old Age Assistance program fluctuated between $150 and $200. The resulting scramble for skilled nursing certification in the industry was no surprise.

Then the massive cost of Medicaid's nursing home plan attracted investigators who were set on economy. They argued that many skilled nursing home patients did not require these expensive services and could be cared for in a lower cost institution. Hence, the Social Security Act was amended and the "Intermediate Care Facility" was born. Intermediate care is aimed at the elderly person who cannot live independently – even with home health care – yet does not require the level of care found in the hospital or the skilled nursing home. For example, one would not expect to find 24-hour, 7-day week professional nursing services in *these* nursing homes. The intermediate-care package offers room and board, low-key medical services and personal assistance.

The coverage of intermediate care was omitted from Medicaid since the service was interpreted as non-medical. Apparently, this assumption was incorrect. Last October, the Senate Committee on Finance approved statutory changes that would not only place the Intermediate Care Facility under Medicaid, but clarify congressional intent that intermediate care is indeed a medical service. In essence, the exclusion of the Intermediate Care Facility from Medicaid was budget inspired; it allowed nursing home cost estimates to be reduced. The savings for the total government budget were mythical, however, as the decrease in Medicaid expenditures became increases for the Old Age Assistance program.

It could be argued that since the Intermediate Care Facility offers a lower level of care, it should receive lower payments. Not so. Imagine the astonishment of the Senate Finance Committee when it learned that in at least one-half of the participating states in 1969, the Intermediate Care Facilities received payments as great or greater than the skilled care homes under Medicaid.

It is one thing to decry the plight of the nursing home patient, but to enact policies that make matters worse is unconscionable. The negative effect of the

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intermediate care provisions was unintentional but it has, nevertheless, increased the odds for more of our elderly to enter, what Garvin and Burger *(Where They Go to Die)* called the "pre-funeral home." On paper the Intermediate Care Facility appears desirable from an efficiency standpoint. It would add more specialization in the nursing home industry and foster a decrease in government medical care expenditures.

The scheme appears to be no more than a taxonomical game without practical value. Extended care under Medicare and the skilled care plan under Medicaid encountered the same problem. In many instances, little similarity exists between the care received and the care defined in the statutes. It is the old dilemma of state responsibility for certification and enforcement in a federal program. For example, Ohio and Oregon immediately certified all licensed nursing homes as intermediate care facilities – the very same group that could not meet the skilled nursing home standards. These substandard institutions received an unexpected gain with the implementation of the intermediate care facility amendment. Patients were subject to reclassification without professional review of their needs, even though the law clearly attempts to encourage proper placement of the individual in a suitable institution.

Valiant efforts to upgrade the quality of nursing home care were made in the 1967 amendments. Since the intermediate care facility is not part of the Medicaid law, the quality provisions were aimed mostly at the skilled nursing homes. Thus, a way out was made available to the conscienceless operator. Many nursing home chains are now transferring from the skilled nursing category to intermediate care where standards are less rigid. In an industry where close to 90 percent of the firms are profit-oriented the reason for this move is not surprising. Lower standards plus less care plus payments at the skilled nursing home level equal greater profits. The human cost falls on the aged when the number of skilled nursing homes declines or, as in communities like Chesapeake, Virginia, where there are no longer any skilled facilities.

Besides getting poorer care, the former Medicaid recipient must apply for welfare where the intermediate-care-facility coverage exists. The mishmash of Medicare, Medicaid, categorical assistance, state certification and licensing, local welfare guidelines, and "free enterprise" have all conspired to put the aged in the middle between government economy and the quest for profit. It is to this mess that Mr. Nixon proposes to abandon the most helpless of our society.

The several alternatives to the Administration's plan are similarly weak in this regard. Chief among them is the health insurance bill of Senator Edward Kennedy and Representative Martha Griffiths. It is backed by the Committee of 100 for National Health Insurance (United Auto Workers) and the AFL-CIO. Its main feature is comprehensiveness. Everyone, from any age group, would receive financial protection for just about the whole spectrum of medical need. Even dental care for children is provided, and a partial coverage of drug costs is included. No deductibles are mentioned. For the average individual, the coverage is excellent; the threat of personal bankruptcy by illness is removed.

To the critics, the drawback of Senator Kennedy's bill is its enormous cost. Some estimates reach $77 billion, but the present level of total spending, with less coverage and service, is already $71 billion. The single plan should reduce the costs that originate in the duplication and fragmentation of the present system – Blue Cross, Blue Shield, CHAMPUS, health insurance companies, Medicare-Medicaid and personal assets. These would be eliminated as sources of payment. It is possible that the Kennedy plan may prove to be the lower cost method of financial protection against illness. A further savings is found in the use of skilled nursing homes by everyone. Aside from its benefits as a lower cost alternative to the hospital, the use of the facility – by everyone – should increase political pressure to clean up the nursing home industry. Serving convalescents of all ages would force the substandard nursing home to insure quality care or get out of business. They would no longer have the captive aged as clientele.

Still, there would be serious problems even under the Kennedy plan. We should expect an immediate shortage of facilities, especially those offering *real* nursing services. Senator Kennedy's bill also places a restriction of 120 days on nursing home care – realistic perhaps for the convalescent, but unmindful of the needs in long-term care. Utilization review committees are given responsibility for determining patient needs in medical facilities. They could, among other things, recommend discharge or further treatment. If you no longer need the extended care services of the skilled home, government payments would stop. The choice is limited: remain in the better-care home or transfer to intermediate care or some other facility, paying your own way. Some might be fortunate enough to go home and receive the covered services of the visiting nurse, but need for skilled nursing home care cannot exceed 120 days during a "spell of illness." Are there that many individuals who would *want* to stay in a nursing home for over 120 days? I think not. But there are thousands who *need* this care for longer periods. Less specialized care is not covered in the senator's national health insurance bill.

Perhaps it is the stigma of outrageous treatment that is to blame for this omission. The need is there and the means for guaranteeing quality care in the entire industry is available. Why shouldn't all nursing facilities be classified and accredited by the Joint Com-

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mission on Accreditation of Hospitals, an independent nonprofit organization? Since 1966 the Commission has offered an accreditation service, on a voluntary basis, to non-hospital facilities. It has defined and set standards for extended care facilities (short-term), nursing care facilities (long-term) and resident care facilities (includes some medical care). Full accreditation is granted for three years, whereupon a new survey is conducted. But a fee is charged ($80 plus $1.00 per bed), which is often used as an excuse for not enlisting their services. A simple tax credit or grant would take care of that. All aspects of care are covered from administration and housekeeping to structural requirements. An insistence on conformity to national standards might mean fewer fatalities but if we offer alternatives to those not needing institutional care, we may find an oversupply of beds in many areas. Where there is a shortage of homes, greater advantage should be taken of the Hill-Burton construction grants and the FHA program for nonprofit facilities. I would favor greater efforts to expand the nonprofit sector; and, although we cannot wish away 90 percent of an industry, we can regulate it and turn some of it into public utilities to avoid profiteering.

Quality care and safety standards will raise costs. How do we pay for them? There are two sources of funds: the patient or his family's assets and the government. Private health insurance has avoided nursing home care for several reasons, mostly the high-risk, no-profit aspects. Therefore, the government must assume the responsibility for long-term care. The Kennedy plan should lift the restrictions on nursing home care and provide the long-term patient with quality care. The Nixon plan might be reshuffled to include unlimited care for these people. We need greater incentives to bring supportive medical personnel into geriatric nursing, and this applies especially to nurse's aides so that potential recruits won't be driven away by low wages.

At the same time, we should seek every available means to keep the elderly out of these institutions. We might look to the first rule of care for the aged in Western Europe – avoid homes for the aged. They are integrating the elderly into apartment buildings, setting up home-helper services, and offering transportation to day centers to fight the loneliness and boredom of the retirement years. Actually, there is no need to invent new alternatives to nursing home care, we already have several good programs to use. The problem is one of under-emphasis. Home health care (visiting nurses) could do wonders for long-term care but it seems to be the least funded program. For example, an official of New York's Community Council on Aging estimated that *15 percent* of the nursing home population could be cared for under an effective home health program. There is a large potential supply of nurses to participate in this plan, the "retired" registered nurse who might be interested in spending a few afternoons or mornings caring for the elderly. But money is not the only obstacle. According to one doctor at the Jewish Hospital of St. Louis, physicians simply don't think of using visiting nurses for their patients or they look on them as an "interference" to their private practice.

Thousands more of our senior citizens could remain at home, assisted by homemaker services, "meals-on-wheels," friendly visits, or any of the care-in-the-home pilot projects now funded under the Older American Act and OEO. Senior Citizen Volunteer programs have begun in some areas. The program itself defeats the feelings of alienation and uselessness for the volunteer, but, more important, the aged poor, living in wretched conditions, are found and assisted by the worker. The main point, of course, is to exhaust every alternative to the nursing home, to allow it to care for those who really need this kind of service. By the way, home health care would cost less.

We won't be able to do everything at once. But at least our purposes should be kept clearly in mind. They are: comprehensive, national health and income programs for all Social Security and Railroad beneficiaries, age 62 and over. It means a single plan to provide all Medicare and Medicaid benefits to all elderly Americans, so long as they need them and without personal fees; complete security, from intensive hospital services to personal care assistance. Part of the program could be financed under Social Security but further regressive payroll taxes should be avoided. General revenues should make up the difference in cost. Even here an "insurance" aspect or benefits-received principle could be built in if the aged complain that this plan smacks of welfare or charity. Part or all of the estimated $14 billion of income taxes paid by the elderly could be earmarked to a trust fund (Medicare outlays are presently reaching $8 billion a year). Finally, we should at least guarantee incomes equal to the poverty line for all the aged, either increase Social Security payments or combine Old Age Assistance checks to meet this income floor.

In a year when the White House Conference on Aging is to take place we find little concern over the vital issues of aging in the several health plans now being considered or in the recently passed 10 percent increase in Social Security benefits. We cannot wait until the November conference; provisions must be made now or this "prayer," overheard in a nursing home by Mr. Polk of the Associated Press, might become a standard for the aged:

"Now I lay me down to sleep.
I pray the Lord my soul to keep.
If I should die before I wake,
Who the hell would care?"

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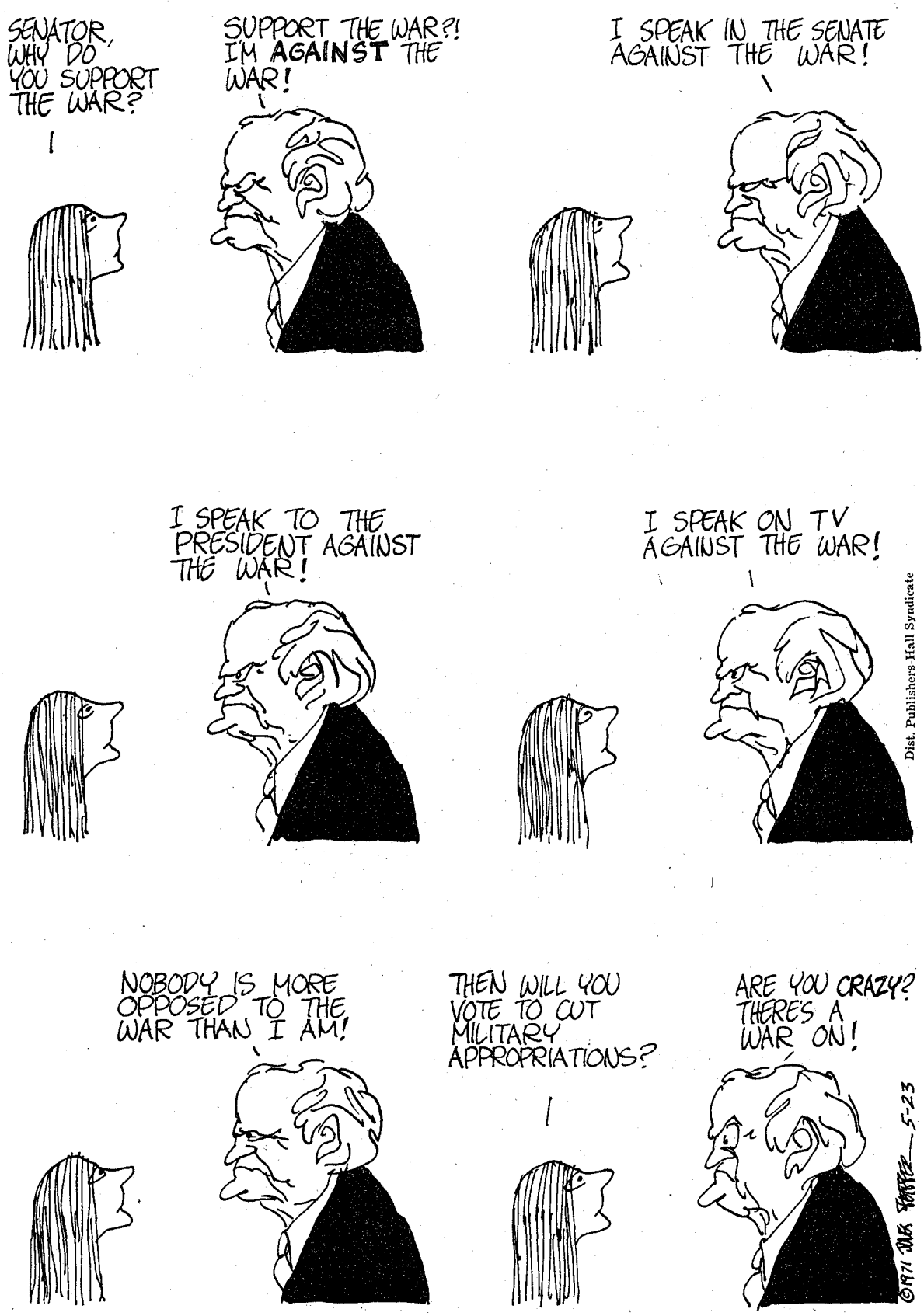
JULES FEIFFER



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Stanley Kauffmann on films

Derby

(Cinerama)

Bananas

(United Artists)

No More Sex?

Roll on, Roman games. The crowd always wants blood, and some members of the crowd are always willing to draw that blood as a way of getting *out* of the crowd. True in the Circus Maximus, true in Dayton, Ohio. *Derby* is *cinéma-vérité* about roller derbies, shot mostly in Dayton, and gives us the thump of body contact on the floor, the mob's pleasure, and the story of a young factory-worker who wants out of his job via a roller-derby team.

I've never seen a derby. Fans will know that there are male teams and female teams – what ho, Germaine Greer! – and that besides speed, each contestant, male or female, needs the ability to whack others out of the way, to vault over shoulders, to punch and to take punches. It's much less a race than a running fight on wheels, whichever sex is racing. When I saw women slugging one another while the crowd cheered and applauded, I remembered that the very first show I ever saw on US television was a wrestling match in mud between two women. The same principle is operating here.

The footage of the races and some of the locker-room stuff is pure documentary, a record of events that would have happened anyway, when and where they happened, even if no camera had been present. And there are some straight interviews. But the story of Mike Snell, the young worker, which is presumably true, has obviously been reenacted: the talks with his wife, the team manager, a loan company executive, and so on. The most surprising material is the sequence about Snell's dalliance with other women, in which he and a man friend are frank and in which his wife participates.

Robert Kaylor, the photographer-director, has done the essential thing for this kind of work, he has got the confidence of his subjects so that they will be easy in front of cameras and will reveal themselves. Helped by good editing, he has made a sharp film, just the right length, that slashes laterally across a stratum of society. This is not Middle America but prole America, and *Derby* is one more index (*Wanda* was a more subtle one) that the classic working class is still very much part of our lives, no matter how much we talk about the middle class enveloping everything. That last is true in the cultural sense, not the economic one.

Derby cannot shake the veil of contrivance that, however gauzy, shades the verity in this kind of cinema. The basis of this filmmaking is the pretense that no film is being made, so the truth is in fact a bit further removed than in good fiction films, like *Wanda*. But Kaylor delivers a short, hard jab to our assumptions of change. Besides his eye for ugliness, he has an eye for beauty in unlikely places: the silent wife of the team manager, Snell's wife, and even Snell himself – a slimmer Elvis Presley with a cockerel touch of Warren Beatty. One reason this film has some quality is that Kaylor's vision is open, not prejudiced.

The trouble with Woody Allen's films – which he writes, directs, and stars in – is quite simple. He is a very funny writer and (on TV) a fairly funny stand-up comic. As a teacher and actor, his talent is absolutely zero.

Bananas is full of hilarious comic ideas and lines, supplied by Allen and his collaborator Mickey Rose; then Allen, the director and actor, murders them. An American weakling gets involved in a Latin-American revolution – something like Harold Lloyd's *Why Worry?* (1923) up to date. There's a lot of smart satire of things worth satirizing, from TV coverage of serious events to facile libertarianism. There is some surprising corn, like Allen stepping out of a car and into an open manhole, or lisping before the word "pith," but generally the script is good. With Dustin Hoffman or Robert Morse, directed by any run-of-the-mill sitcom director from the Disney stable, this might have been a knockout. But see Allen trapped on an exercise machine or at a trial where he is both lawyer and witness, and you'll see the quintessence of Amateur Night. He confuses the ability to write comedy with the ability to perform it.

His directing is worse. He makes this clear in the first sequence where he wrecks a comic assassination; the shooting is too real for comedy. Incessantly he photographs from odd angles – once even through the corner of his eyeglasses – instead of relaxing, not worrying about proving he's intellectual, and just telling a story. On the rocks of his acting and direction *Bananas* splits.

Is sex going? A front-page story in *The New York Times* (April 20) says that US filmmakers "are turning away

(Continued on Page 33)

Films Worth Seeing

Claire's Knee. Sixteen-year-old Beatrice Romand is superb in Eric Rohmer's quiet, intelligent *pas de quatre* of muted desire. French classicism lives! On film!!

The Confession. Yves Montand's face is the political map of 20th-century Europe in Costa Gavras' ingenious film about the 1952 purge trials in Czechoslovakia.

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Little Big Man. Dustin Hoffman is better than Arthur Penn's film, but there are humor and bite in this picaresque morality tale of a Western trapper who lives alternately in white and Indian cultures.

Ramparts of Clay. Jean-Louis Bertucelli, young and French, has achieved dignity and grace in this account of a Tunisian village, which uses (mostly) actual villagers.

Wanda. Who cares about poor people these days – in art? Barbara Loden: who wrote and directed and plays the lead in this small, good work about a numbed victim of US coal-field life.

SK

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Stethoscope of the Spirit

Love in the Ruins by Walker Percy

(Farrar, Straus & Giroux; $7.95)

Walker Percy's third novel confirms once and for all what his first two had strongly suggested: there is not a better comic writer around. That *Love in the Ruins* is also a deeply pained protest against modern vulgarity in all its forms, and a moving expression of cautious hope, gives breadth and power to the novel and emphasizes the persistent seriousness of its comedy.

From *The Moviegoer* to *The Last Gentleman* to *Love in the Ruins* is an orderly progression. The essential themes of Percy's fiction are expressed by Binx Bolling in *The Moviegoer:*

> Now in the thirty-first year of my dark pilgrimage on this earth and knowing less than I ever knew before, having learned only to recognize merde when I see it . . . smelling merde from every quarter, living in fact in the very century of merde, the great shithouse of scientific humanism where needs are satisfied, everyone becomes an anyone, a warm and creative person, and prospers like a dung beetle, and one hundred percent of people are humanists and ninety-eight percent believe in God, and men are dead, dead, dead; and the malaise has settled like a fall-out and what people really fear is not that the bomb will fall but that the bomb will not fall – on this my thirtieth birthday, I know nothing and there is nothing to do but fall prey to desire.

Out of sorts with modernity, wry traditionalists flailing against technocratic society. Percy's heroic antiheroes are, if not interchangeable, markedly similar. The mood of the novels remains consistent, a mixture of the despairing bitterness and antic rebellion of the passage above. In all three there is an ultimate accommodation, an acceptance of pain in its various modern forms balanced, or made possible, by a discovery of love.

This is not to imply, however, that Percy has simply rewritten the same novel three times. *The Moviegoer* is a tight construction, a tour de force. *The Last Gentleman* is far more expansive, in form closest to the picaresque. *Love in the Ruins* borders on fantasy, a comic futuristic nightmare that suggests, in its own very different way, Orwell and Huxley.

Percy's purpose is not gloomy prognostication, though there is plenty of that. He is concerned with fantasizing the world as it now exists, with placing today's complaints in tomorrow's setting. Thus *Love in the Ruins* is his most immediately political novel, and indeed can be read purely as political satire. A procession of political types marches through its pages: nitty-gritty blacks ("Take what we need, destroy what we don't, and live in peace and brotherhood"); radical academics ("We practice creative nonviolent violence, that is, violence in the service of nonviolence"); Mansonesque murderers ("The leader is quoted as saying his family believes in love, the environment, and freedom of the individual"); not to mention, as the Louisiana setting would imply, "all manner of conservative folk, graduates of Bob Jones University, retired Air Force colonels, passed-over Navy commanders, ex-Washington, DC, policemen, patriotic chiropractors . . ., officials of the National Rifle Association, and . . . conservative proctologists."

It is the New South of *The Last Gentleman* carried to its perhaps inevitable extreme. One does not immediately sense the South in Percy's work, as say in Welty's, because he is telling us that the South is *not* the South any more, that it has been absorbed into the crassness and possibly the hopelessness of America. Percy's South has been violated not by Sherman's marauders but by the "principalities and powers," the "two hierarchies of devils," the masters of commerce and technology. By the 1980s it is a South, like the nation, near the end of the line. Its citizens are divided into warring political camps, Lefts and Knotheads. Its glittering mechanical contrivances no longer work: "Appliances and automobiles are more splendid than ever, but when they break down nobody will fix them." Vines – scuppernong, poison ivy, kudzu – are creeping across the ground, infiltrating motels and supermarkets and drugstores and drive-in movies.

Raging quixotically against the world's imminent demise is Thomas More, failed physician: "Sir Thomas More was merry in life and death and he loved and was loved by everyone, even his executioner, with whom he cracked jokes. By contrast I am possessed by terror and desire and live a solitary life. My life is a longing, longings for women, for the Nobel Prize, for the hot bosky taste of bourbon whiskey, and other great heart-warming longings that have no name. Sir Thomas was right, of course, and I am wrong. But on the other hand these are peculiar times. . . ." More invents a "stethoscope of the spirit" with which he hopes to "diagnose the maladies that poison the wellsprings of man's hope," but the world is unready for such salvation and his victory must be narrow and personal, a retreat to "the best possible island with a library, a laboratory, a lusty Presbyterian wife, a cozy tree house, an idea, and all the time in the world."

It is not a fashionable novel. Percy's political targets suit no one's ideological convenience but his own, and his is a conservative ideology. The word is used carefully. Percy's conservatism is that of the man who perceives society's assets and possibilities, wants them preserved and developed, but values the past and offers no easy or rigid answers – an Agrarian, one is tempted to say, without a manifesto. His whole philosophy is anti-programmatic. He is suspicious of utopians and Jaycees, Lefts and Knotheads, angels and beasts. "I, for example, am a Roman Catholic, albeit a bad one," More says. "I believe in the Holy Catholic Apostolic and Roman Church, in God the Father, in the election of the Jews, in Jesus Christ our Lord, who founded the Church on Peter his first vicar, which will last until the end of the world." Tradition, accumulated wisdom, is the bedrock. The "deep abscesses in the soul of Western man" can be removed not by technology or theory but by the most fun-

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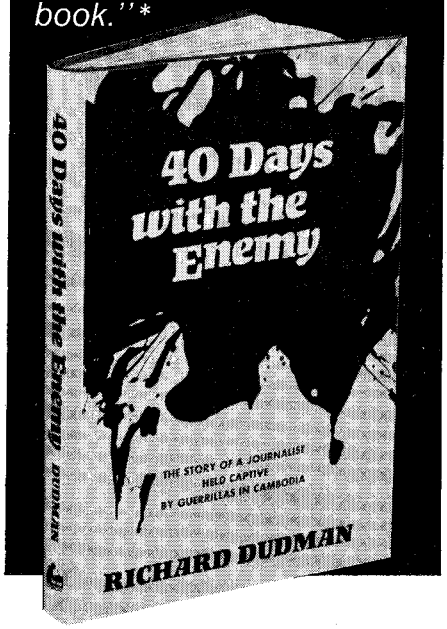

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damental respect for human dignity and diversity. More retreats to a vestige of the "old" South,

> because it's home and I like its easy-going ways, its religious confusion, racial hodgepodge, misty green woods, and sleepy bayous. People still stop and help strangers lying in ditches having been set upon by thieves or just plain drunk. Good nature usually prevails, even between enemies. As the saying goes in Louisiana: you may be a son of a bitch, but you're my son of a bitch.

Percy's, then, is a richly human comedy. For all its seeming despair, for all its sad irony and wicked satire, it resolves into affirmation. In a cynical age it may seem sentimental. Human community, neighborliness, rootedness in the land, simple decency and honesty – those qualities are often acknowledged today, if at all, with embarrassed smirks. But the point of Percy's work, of the laughter he directs at our posturings, is that they are the best we have to fall back on. That he finds we have not yet lost them despite it all, that he is still not without hope, is a good word in a bad time.

Jonathan Yardley

Answers in the Crevices

The People Problem
by Dean Fraser

(Indiana University Press; $6.95)

Living on the Earth
by Alicia Bay Laurel

(Vintage Book; $3.95)

Toward the end of the fifties, one of the common conclusions to popular sociological writing was a warning about the disastrous effects of a leisured society. What kinds of madness or ennui, readers were asked, would strike blue- and white-collar workers if they needed to work only a few hours a day? This nightmare of success, expressing the belief that economic problems were completely solved, seems very strange today, when our dreams warn of an ecological millenium with no salvation. What seemed at best crankish thought several years ago because it was so pessimistic is now standard fare, as books, articles, and college courses, like the pollutants they expose, seep into national consciousness. Like any contemporary movement, ecology is also immensely faddish, with earth days that are holidays from the more ordinary business of destroying the natural environment. There are earnest elements too which seem best exemplified in those efforts to bring up children in ecologically progressive schools. But there is no clear sense yet of where the movement will go, toward a new technology of waste removal, or toward the abandonment of industrial technology itself, as Alicia Bay Laurel hints in her earth survival guide.

Like the rest of the scientifically oriented ecological movement, Dean Fraser in his book, *The People Problem*, is concerned with the barometrics of disaster. Beyond a doubt, Fraser is right to contend that an expansion of present environmental conditions into the future, with a corresponding growth of damage to the ecology of the planet, will make life unbearable and probably impossible. Despite a sometimes flip style, there is a good deal of serious thought about the possible future of unbridled progress. Some other ad-

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herents of the movement may quibble about which is worse, pollution or population, but they are both so obviously related in their disastrous effects that the argument may not be important. Fraser is also right, I think, to lay blame for the population-pollution crisis on economic progress. No doubt, there is a kind of Newtonian Law of Development where every advance in medical, agricultural, or industrial science has its equivalent deleterious social effects. A number of Nineteenth Century thinkers skirted this "law," and Fraser is not afraid to invoke one of them, Malthus. In fact, the author has set about to prove that the two basic assumptions of Malthus are correct; that population will increase at a geometric rate if artificially protected from disease and starvation; and, ironically, that because of this there are a series of natural disasters in the offing such as a pollution crisis, mass starvation, war, or an ecological crisis – all of which update Malthus's description of the natural checks on population. For Malthus, however, such checks worked to keep population stable; for Fraser they portend racial suicide.

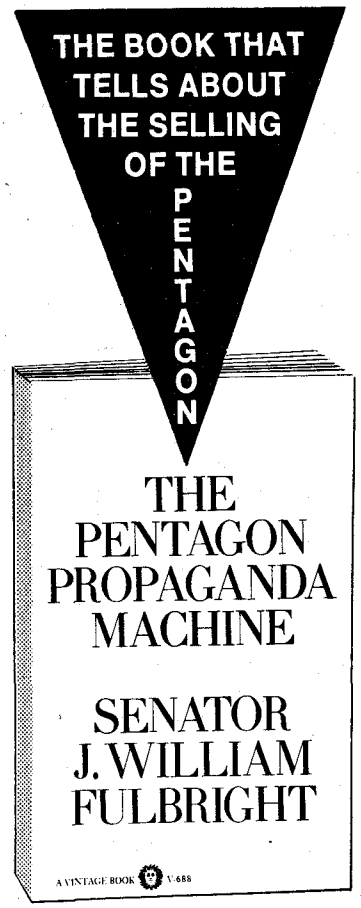
Fraser is particularly interesting when he deals with a number of technological answers to disaster. In his consideration of population, for example, he argues that any increase in food production, through the green revolution or mining the seas, is ultimately a trap because it merely invites more population growth. The increasing diversification of power sources, from fossil fuels to nuclear fuels, also has its built-in limitations, since the disposal of waste may become a more oppressive factor than the absence of power. All in all it would seem that the survival of humans, like the bacteria whose reproductive rate Fraser discusses at the beginning of the book, depends ultimately upon the medium. Our postponement of death, our better health conditions, our intensive agriculture have produced diminishing returns, without, however, there being the chance to exploit new frontiers. The time to reduce our wastefulness *within* the frontiers that bind us has apparently arrived.

For the author, the solution, like the problem, is related to the equation of life renewal. Somewhere along the way the chain must be broken. Human reproduction must be slowed disastrously until it reaches equilibrium. The only means to this balance – and Fraser is admittedly not very optimistic – is through an emergency world population control program. While he finds individual culprits who oppose such programs, for example, the Catholic Church, he concludes that the trouble is much deeper, touching on the most profound cultural beliefs of several very different societies. Furthermore, the machinery of population control can only be initiated by societies with large control capacities, such as our own. And how would we pass on the gospel to the rest?

Despite his seriousness, I think that Fraser underestimates the problem of pollution and population because he abstracts them from other questions. At the end of his book he does invoke the social dilemma of our changing society – the need for constant expansion as opposed to the dangers of expansion – but a couple of paragraphs cannot regain perspective. Is it not naive to ask, as he does, if business will "adjust to the idea of an economy that does not demand an annual rate of 2 percent expansion of population to thrive?" Imagining "business" at all under the future conditions he sketches is difficult. Moreover, the difficult is made more difficult by the aspirations of the third world, and its counterpart in our own society. Can we relinquish the struggle for human equality and freedom in favor of population controls? Is not the social struggle the only way to achieve control over technology? The danger is that as a nation we will arrive at technological solutions to the pollution and people problems that are either unworkable or will upset another eternally threatened symbiotic relationship, that between individuals and society.

Another way of confronting the current nightmare of ecological and social disaster is to imagine a return to ancestral forms of life, particularly those of the frontier. The frontier exists now only in crevices between suburbs or along abandoned agricultural lanes, but it is apparently still abundant enough to invite a new generation of settlers.

Alice Bay Laurel (a surname she assumed from her favorite tree) has written a guide to such a life where one discovers the rhythms of the earth, and where, "We cease oppressing one another." Handwritten and then reproduced, with a number of crude sketches, the guide itself is a disarming collec-



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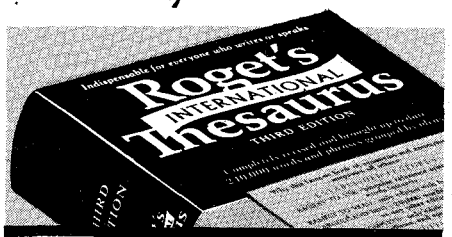

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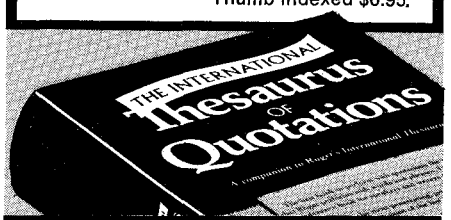

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tion of advice on backpacking, building housing, cooking, and first aid. Some of her sketches are delightful, and there are a number of genuinely useful hints on making candles, clothing, bread, and other such items.

Like many Nineteenth Century cookbooks this eccentric volume is meant to set a style of life. Cookbooks have traditionally supplied far more than recipes, having their share of home remedies, medical advice, and etiquette. *Living on the Earth* suggests the traditional elitist frontier thesis that our best men and women are to be found in the wilderness, where they are luckily possessed of enough individualism and self-reliance to pass back into the cities to save them from moral or physical squalor. Yet how escapist and elitist it is now to think that some of us (for we surely all can't) ought to return to the land. Only the existence of thousands of harried secretaries, workers, and executives makes this neo-frontier life possible; the old terms of the relationship have been reversed, and urban life is necessary to maintain existence on the farm.

This is not, however, merely a sentimental book about the country, for it hints at a true accounting of living off the earth. There are two pages on childbirth without a doctor, undoubtedly one of the cruelest parts of frontier life. There is also something fittingly ruthless about a book which ends with instructions to build funeral pyres so that the smoke won't get in your eyes, a ruthlessness bred of the desperate final search, upon the land, for the good life that failed in cities and suburbs.

James Gilbert

Homesick Migrants

The Chickenbone Special by Dwayne E. Walls

(Harcourt Brace Jovanovich; $6.95)

On rare occasions one finds a book that is too well written to make the impact it should produce, and it is possible that Dwayne E. Walls' odd production falls into that category. Certainly it is unfashionable to an extreme degree – low-keyed, when stridency is the mode, placid in the day of wrath, touched with humor when solemn asses dominate the printed word, and completely credible when Baron Munchausen seems to be the beau ideal of statesmen, orators and pundits.

Taken merely as a literary curiosity it is excellent entertainment for an idle hour. It consists of four stories about four disparate groups of people, but ingeniously interwoven to present a single theme from four angles. Not until the end does a casual, almost careless line stating that these people are representative of some thirty million Americans make the perceptive reader realize that Walls has done what Anatole France said he had spent his life doing – "wrapping dynamite in curl-papers."

The Chickenbone Special is not a menu item. It is a train, made up in Florida by the Seaboard Coast Line railroad system and brought to Richmond, where it is picked up by a local line and at Washington delivered to the Penn Central that delivers it to New York. The name does not appear on any timetable. It was invented by the passengers, almost entirely black people moving from southern farms to the agglomeration of cities stretching from Washington to Boston. These riders are too poor to patronize dining cars, if any, or the hucksters formerly called "news-butches." So they sustain themselves during the long journey by box-lunches, almost invariably including one or more pieces of fried chicken. When the coaches are cleaned at New York the tonnage of chicken bones removed is fabulous, hence the name.

Walls is now a reporter on the Charlotte, NC, *Observer*, but in his time he has been almost everything. He is a good writer, but a marvelous interviewer, for he is a white man who can – not always, and with much difficulty – persuade black people to talk frankly about their own feelings. In various places in the Carolinas he cultivated the acquaintance of people who had decided to go north, and rode the Chickenbone Special with them, not once, but repeatedly. His book is an account of what they told him, with never a word of phony stage dialect, but preserving the syntax and many of the idioms characteristic of their speech.

The prevailing mood he found among these travelers was sorrow. They did

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not want to go. They were forcibly uprooted from their homes and way of life and turned into refugees, not by an invading army, but by a more relentless foe, General Starvation, whose battalions are technologists. The Chickenbone Special is but one trickle of a flood that has inundated the peripheral cities with thirty million rural dwellers driven from their homes with no chance to adapt to urban conditions. Blacks are the largest contingent, but not a majority of the movement.

Demographers, sociologists and some politicians have measured the size of this mass migration, and have appreciated some of its dangers, but in an introduction to this book an eminent sociologist, Robert Coles, confesses that Walls has made him realize as he had not before the importance of nostalgia as contributing factor to the unhappiness of these people, and he believes now that it ranks well up with hunger, cold and foul habitations. Yet everyone who has experienced it knows that homesickness is a major affliction, so why should any of us be astonished?

The point of it is that the refugees number thirty millions. Some have readjusted successfully, especially the whites from Appalachia and the farms of the Middle West, but reduce the number by a third and still we have twenty million profoundly unhappy people on our hands. The unhappy tend to become bitter, and the bitter become unruly. Need one look further for an explanation of the shock that has caused our social institutions, church, home, school, to totter, and threatens to bring down our political institutions, law, justice, freedom?

No, for all its surface charm, *The Chickenbone Special* is not a comfortable book. To adapt Theodore Roosevelt's phrase, it speaks softly, but it carries a big stick.

Gerald W. Johnson

Notes on Contributors

Virginia Freehafer *has recently completed a research project on social trends in the Brazilian northeast.* James Gilbert *teaches history at the University of Maryland.* Charles Whitman, *whose first book,* Turning Thirty, *will be published next spring by John Knox Press, currently writes for* Encyclopaedia Britannica. Jonathan Yardley *is the book editor of the* Greensboro Daily News.

Burgeoning Rebellion

Guerrilla Movements in Latin America by Richard Gott

(Doubleday and Co.; $10)

Richard Gott, a British journalist, has made an extensive analysis of guerrilla movements in Guatemala, Venezuela, Colombia, Bolivia and Peru. These he considers the countries where the most significant guerrilla achievements have taken place since Cuba's successful revolution sparked off "little wars" throughout Latin America. He claims that "not a single serious study of any of these movements has appeared in the United States. The American taxpayer is thus paying his [sic] army to crush movements of which he has virtually no knowledge."

Throughout the book runs the theme of American intervention to which Mr. Gott assigns prime importance for the guerrilla failures in Latin America. US Military Missions have been installed in the capitals of most countries south of our border. Since 1962, more than 20,000 Latin officers have been instructed in new ways to fight subversion. Anti-guerrilla strategies developed under Kennedy revived the Special Forces "green beret" with the result that Latin American armies have been well bolstered in their attacks on guerrilleros. Rural police have been trained in schools set up under US auspices, and the CIA and AID have been exposed as supporting governments repressive of the rebel cause.

"With Cuba isolated and blockaded," writes the author, "the United States has felt free to work its will on the rest of the continent. Wherever independent-minded governments have raised their heads, the United States has been there ready, with the most suitable type of chopper always at hand. Through an all-embracing aid system that not only trains the Latin American soldier but also recommends what textbooks his child shall read . . . the United States controls Latin America as absolutely as any previous metropolitan power in its relations with its empire."

Salvador Allende, now Marxist president of Chile, is referred to as saying back in 1960, "Cuba's fate resembles that of all Latin American countries. They are all underdeveloped – pro-

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ducers of raw materials and importers of industrial products. In all these countries imperialism has deformed the economy, made big profits and established political influence. The Cuban revolution is a national revolution, but it is also a revolution of the whole of Latin America. It has shown the way for the liberation of all our peoples."

To break the continental chains of American imperialism, Che Guevara set out for Bolivia in 1966 with Castro's blessing and Cuban financing. Despite the long series of previous defeats in all the Latin countries, Che was confident that his liberation movement would achieve as glorious a victory in South America as the nineteenth century overthrow of Spanish dominion. But Guevara was not destined to be a second Simón Bolívar. He was forced by circumstances into such premature guerrilla action that the Bolivian insurrection was tragically short-lived. However, his capture and execution do not guarantee the end of Latin American revolt.

Guerrillero tactics described in Gott's account have also been adopted by revolutionary vanguards in Brazil, though Gott omits that country. Bank robberies, bombings, kidnappings and attacks on police barracks are again in vogue there. Gott omits Brazil because he defines a guerrilla movement as "a political organization that seeks by means of armed warfare in the countryside to change the political and social structure of the country," and he finds no such organization in Brazil now. Yet this was the expressed aim of the Peasant Leagues in the Brazilian northeast. Even the Church-sponsored rural labor unions emphasized awakening the peasant to a political awareness in order to create conditions for revolution.

It would be interesting to know Mr. Gott's reaction to Herman Kahn's prophecies on Brazil in the year 2000. High on the 1971 best-seller book list in that country is *O Desafio Brasileiro* which presents in Portuguese the vision of Brazil's future as seen through Kahn's crystal ball of computers at the Hudson Institute. Most startling is the prediction that, at the turn of the century, Brazil will either be communized by a Castro-type regime which will export revolution to all bordering countries, or it will be occupied by American troops intervening to prevent civil war and install a rigid dictatorship of the right.

To account for Brazil's becoming the focal point of South American subversion may necessitate a less rigid definition of guerrilla movements to include such pulsating modern cities as Rio de Janeiro and Sao Paulo. Urban terrorism increases as governments become more repressive and normal legal channels for justice are closed. New recruits join the movement to release their friends and relatives from torture chambers and oblivion. Brazil may be behind in guerrilla organization, but it has ample urban ferment.

Significant portions of this book are given over to examples of heroic guerrilla leadership, and the sacrifices that inspire today's rebels. Unfortunately, the chief guerrilleros described by Richard Gott do not come alive. The best is Che Guevara whose capture was covered by the author's direct reporting to the *Guardian*. Others, Yon Sosa and Turcios lima of Guatemala; Bravo and Ojeda of Venezuela; the charismatic priest, Camilo Torres of Colombia, and Luis de la Puente of Peru – all exciting figures – are smothered in dull wrappings of various Communist ideological positions.

Virginia Freehafer

U.S.–China

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A People's Hero Revisited

Sir Ebenezer Howard and the Town Planning Movement by Dugald MacFadyen

(MIT Press; $8.95)

The stated premise for MIT's reissue of this 1933 biography is the resurgent interest among experts and laymen in new towns (garden cities). Ebenezer Howard (1850-1928), father of the movement, founded it in England with the building of Letchworth in 1903, followed by Welwyn in 1920. A lifelong shorthand reporter, Howard worked in Chicago in the 1870s and took back to England distinct impressions of the urban chaos America was already developing. In one of his many trenchant phrases, MacFadyen says in an aside on the scene that Howard saw: "anything in America is bigger and better and stronger and more absurd than anywhere else." The chapters alternate between sketches of the movement and vignettes of Howard's life, including his devotion to Esperanto, in which he made a speech on garden cities to the international language conference at Cracow in 1912. MIT has reprinted the first edition precisely, down to the three dozen photographs of new town experiments in England (though, alas, no new preface is supplied, much less new chapters or new pictures to bring the work up to date).

How can a reprint like this be justified? After all, America in 1971 is not England in 1903 BC (Before Cars). On the one hand our cities are nearly broke, and yet require more drastic change than England's did then; and on the other hand we have a surfeit of urban plans, proposals, texts and even visions. Howard's notions have been supplemented if not supplanted by concepts and techniques that men like Wright and Mumford, Fuller and Soleri, have articulated and realized. We have built our modified versions of Howard's towns at Radburn, NJ, Columbia, Md., and Garden City, LI, as well as numerous industrial Levittowns, and by 2001 some 110 new towns on American drawing boards will be completed or well underway – including a unique "paired

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new-town" plan for Detroit that involves linking nine urban communities with suburban ones by transit and shared tax bases.

In the area of conceptual and technical contributions to our present situation, then, this once more important work is now just another book in a glutted hopper, except for the small circle of urban scholar-historians for whom it will have archival interest. Yet one factor rescues this book for the general audience today. It has to do not with "what" Howard did, but with "how"; not with his plans but with his methods; not with his concept of a "marriage of town and country" but with his handling of the wedding arrangements. In this biography more is revealed about the nature of leadership than many of us can bear without blushing over our own ineptness and that of our alleged leaders. Ebenezer Howard knew both what was desirable and what was possible, and he had the talent to achieve a fitting combination of the two. Often conceiving the next project and calculating the next move before the previous idea had come to expression in a corporation or a town, Howard called meetings, gave speeches, and sold stock with the persistent stamina of a salesman who knows how to shame, shock, or coax others into taking his ideas seriously enough to help him realize them. And all of this at a time when English cities, though crowded and dreary, had much less the look of crisis than American cities have today. Howard's ability to get innovations accepted *before* catastrophe struck was a feat indeed, for the new town movement grew from an option that was one among many rather than the only one remaining by default or elimination. Although he was occasionally called a visionary and a utopian idealist, he balanced a definite romantic strain with a penchant for pragmatism. And what matters is: he succeeded. (Though the book is too dated to say so, Howard's work influenced his government to sponsor a national new-town program in 1946.)

Reflecting on Howard's funeral, MacFadyen declares that "He was a people's hero." That word is not too extravagant a summary, either of the man or of his appeal for us. He even curiously anticipated a current cry: " 'The land for the people,' " he said, "this is the first rule of the Garden City grammar." It is indeed the heroic in Ebenezer Howard that is lacking in America today – despite our omnipresent ombudsman, our near-Senator-At-Large Ralph Nader. We are more in need of heroes than additional blueprints.

Charles Whitman

Notable

Liberations; New Essays On the Humanities in Revolution
Edited by Ihab Hassan

(Wesleyan University Press; $10)

The conservatives in this curious anthology are David Daiches, Harold Rosenberg, and Frank Kermode. Daiches counsels against utopianism and preaches the continuity of the human condition – but acknowledges a lot of fuss around and about. Rosenberg describes our cultural revolution as a "spurious" event, but points out that it could not have occurred if our leadership were still leading – hence the probability of further spurious events. Kermode sees the possible end of "our kind of thing" but more likely a mere increase in the incorrigible plurality of our time, for which we should prepare by not getting uptight. "We" in this instance are humanities people; "we should not be so absurd as to teach and behave as if there were powerful forces not ourselves that more or less oblige aspiring human beings to be like us."

Elsewhere the wildness sets in. Aside from Leslie Fiedler, who modestly sees poetry returning to Longfellow, the contributors keep prophesying the ends of things – of fiction, of an aesthetic of beauty, of misery, of syntax and hierarchy, of criticism as judgment. At the extremities of the volume are John Cage and R. Buckminister Fuller, sandwiching everybody in to the apocalypse. Fuller's final paragraph may (or may not) stand for all that the new would do to the old in the humanities:

> Let us, therefore, be as scientifically orderly as it is at present feasible in dealing intellectually and practically with that complex scenario of transformations which is Universe. To do so, let us examine our macrocosmic experience apprehending processes and then our deliberate experimental-explorations toward comprehending the macro-micro-environmental event complex. Finally, let us scientifically reconsider our intuitively objective formulations for the objective employment of the generalized principles which we seem to have winnowed from our experiences with the environment which, in turn, may permit us to make life favoring alterations of Universe's environment scenario. In this way can man find his full accomplishment in Universe.

When Pumpkins Blossomed
by Dragoslav Mihailovic

(Harcourt Brace Jovanovich; $5.95)

In socialist states a major peril of Pauline is when, not if, the hero will swing over to the socialist realist position of respect for and dedication to the state. In *When Pumpkins Blossomed* a socially irresponsible Yugoslavian boxer saves his conversion to the last chapter – and then converts with ambiguity. He had been a gold brick in WW II, and had later gone off to work in a factory in Sweden; but from the wilds up

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there he slowly realizes that his heart remains back home. Give him another war – "a little war, an intelligent war" – and he'd be a true patriot. Maybe. Anyway he likes to drive back to Yugoslavia sometimes and get drunk.

The translated tough guy talk of the novel does not unfortunately have Hemingway zing, and it is hard to know whether to blame the translator or the problem.

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Automation and Alienation
by Jon M. Shepard

(MIT Press; $7.95)

From Marx to C. Wright Mills the alienation of workers from their jobs in a capitalistic industrial economy has been a prime topic. Marx worried about the factory worker, Mills carried the worry into the white-collar world. And whether one thinks of Charlie Chaplin performing repetitively a single assembly line operation (in *Modern Times*) or of a secretary sitting idly in front of a programmed typewriter as it clicks out its own letters, the passivity and meaninglessness of the tasks seem impressive. But this new study suggests that the new world of automation is *not* merely extending the proletariat's plight upward. Jon Shepard's comparative approach to alienation among non-mechanized workers (old-time craftsmen), mechanized workers and automated workers shows that the worst off are the mechanized group in the middle. In other words automation – which in the terms he describes has been with us only a couple of decades – is not the kind of villain the old factory system was. People who work for computers and the like like it. All is well.

The study contains many qualifications to that conclusion, but they still leave the automated worker clearly more self-sufficient and at home with his job than his mechanized predecessor – and almost on a par with the neanderthal craftsmen – if the evidence is to be believed. The real trouble is with the evidence. All the data for the book was compiled by questionnaires, and Shepard's questionnaires seem a notable case of the researcher asking questions one needs to question – or to question the likelihood that the questions will be truthfully or reliably answered.

Alienation is a monstrously difficult factor to measure, and Shepard has approached it with a mixed bag of queries, some of which seem reliable but dubiously significant ("to what extent can you move from your immediate working area during work hours?"), some significant but dubiously reliable ("to what extent is getting ahead in the plant based on ability?"), and all subject to the vagaries of group response and questionnaire whimsy. Social research by questionnaire is an important but tricky business; it needs a psychiatrist and possibly a reader of tea leaves in constant attendance; and certainly in this instance it needs reinforcement from sources other than the questionnaires themselves if the possible weaknesses of the questionnaires are to be understood and taken into account.

Observations

Do you think the
Spanish Inquisition
Offered: much more, more,
Less, fun than the war
These days?

When you're rejected
By Western Humanities
You feel you've been
Turned down by more than
A quarterly.

The moderates always
Liked Martin Luther King,
But especially now.

There's a jewish slogan
"Never Again," but looking
At the world what do you
Bet?

The Pope said he deplored
Racism, exaggerated nationalism,
The lust for unlimited power, and
The unbridled thirst for domination.
Sounds to me like sour grapes.

Dear President Nixon,
Athen's great democracy
Had slaves, foreign wars
And inner-city-State murder,
But they supported their artists.
Could you send me a couple of
Bucks?

One frightening thing
About cannibals eating
Missionaries or you or
Me is their indiscriminate
Taste.

JOHN SEMIVAN

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Dickens the Novelist
by F. R. and Q. D. Leavis

(Pantheon; $10)

When F. R. Leavis came to write *The Great Tradition* (1948), he mapped out a journey through the work of George Eliot, Henry James, Conrad, and D. H. Lawrence. But the massive figure of Dickens blocked his way – a rugged mountain peak if you admired him, a foothill of crumbling earth if you didn't. Leavis inclined to the foothill theory, but he had the scholar's fear of being found out and he wound up compromising. Labeling Dickens a great entertainer rather than a great novelist, Leavis stuck him away in an Appendix and fixed on *Hard Times* as the author's lonely yet somehow ignored masterpiece. Here, and only here, had Dickens resisted the delights of caricature to deal soberly with the "inhumane spirit" of his age.

In 1962 Leavis took a sober look himself at other Dickens novels his memory had dusted over, diminished, or mutilated. As a result he shifted some 180 degrees and put Dickens beside Shakespeare as a national icon. He even wrote the editor of the *Spectator* that he'd trade all of Flaubert for *Dombey and Son* or *Little Dorrit*.

Beginning with *Dombey* as the first of the mature novels – since it is a thematic story instead of an undefinable stew of comedy and melodrama – the Leavises analyze five of the later novels and offer a bonus by way of a closing chapter on the Dickens illustrators. Mrs. Leavis attacks the conventional notion that David Copperfield is Dickens in disguise. She is especially impatient with the "amateur psychologizing" of Edmund Wilson, who sees in the neuroses of Dickens' characters reflections of the author and proof of his spiritual divorcement from Victorian society. The anti-Americanism of the Leavises persuades them that the general run of our critics (if not Wilson himself) are snobs in reverse, defenders of violence, islanders in time whose scant and barbarous tradition bars them from appreciating the rationale of Victorian social distinctions. The Leavises are more rewarding as close readers of the novels, particularly *Bleak House* and *Great Expectations*. The conclusion that Dickens is "the incomparable Victorian master of poetic expression" should interest a generation used to regarding nineteenth century three-deckers as shamelessly and hopelessly diffuse, as should the argument, well-reinforced, that Dickens' imagination was harnessed to a poised, reasonable and eminently sane mind. The Leavises again have said a Johnsonian no to the romantic notion that the deepest art springs from aberrations produced by Nature, drugs and assorted debauchery.

Kauffmann, *from page 24*

from the detailed exploration of sex that has marked some recent feature films." Two main reasons. One, it's difficult to get X films – even R films – exhibited or advertised in many places. Two, poor business for frank films where they do get shown.

Reason One really has two parts, a true problem and a rotten situation. The problem is that parents have had trouble in finding films for children. I have sympathy for this but no answer. I don't even think it's necessarily my business. Literary and theater critics aren't expected to worry about material for children. Yes, children used to be able to go to films fairly freely, but that was when adult films were made within generally juvenile limits. (Which is certainly not to imply a Parnassus of maturity today.) Naturally I wish there were lots of good films for children – why not? – but TV has plenty for them, and there are always a few "family" pictures around. Anyway, if the new frankness had brought more good pictures, I think parents might be much less disturbed that there are fewer pictures for youngsters.

The rotten part of Reason One is unofficial prior censorship. At least thirty newspapers (something I've noted before) have refused advertising for X, even R, pictures. And everyone knows that community pressure is brought to bear on exhibitors to keep them from booking X or R pictures in the first place. No such pressure is brought to bear against GP items like *The Incredible Two-Headed Transplant* and *The House That Screamed*.

Reason Two is hilarious. For instance, one Fox executive said there was "absolute disaster" when *Myra Breckenridge* and *Beyond the Valley of the Dolls* were released in one week. Why not? They were both stinkers. Why blame the disaster on sex? Fox also released *Dr. Doolittle* and *Star!*, which also were stinkers and bombed. Are they now renouncing children's films and musicals?

James Aubrey, the president of MGM, says: "Permissive films might have been successful six months ago, but they aren't now. The whole country has undergone a remarkable reversal in taste." Does he mean that *M*A*S*H* (second biggest grosser last year) and *Bob and Carol and Ted and Alice* (fourth biggest) would be failures today? The reissue of *M*A*S*H* is, in fact, a smash. The question of the quality, or at least cleverness, of the film with sex is not mentioned. As for the people who want to see sex as such, they would be silly to go to see Russ Meyers or Roger Vadim flicks when they can see real porno in many cities with organs going into organs.

The box-office avalanche for *Love Story* has made many say that there is a swing to romance. Nonsense. There has never been a swing away from it. The biggest success of 1969 was *Airport*; the biggest of 1970 was *Love Story*. Movie-movies are always with us and are often hits. Only the publicity changes. The big news weeklies played up Now pictures until, desperate for new cover stories, they used the failure of trashy frank films and the success of a trashy romance as a peg on which to hang a new "trend."

I'm not exactly lamenting the shift away from Russ Meyers or *Making It*. I do lament the prospect of a lot of *Love Story* imitations. (Will children be hauled to them just because clothes are kept on? For me, the most important fact in all this fuss is that the territory of US films has been widened and is unlikely to return to where it was pre-*Graduate*. Anyway, what we need is not no sex but good films. Shifting the locus of lousiness won't help.

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